

**A BYLAW OF THE VILLAGE OF ANDREW
IN THE PROVINCE OF ALBERTA
TO ESTABLISH THE DEVELOPMENT AUTHORITY
OF THE VILLAGE OF ANDREW**

WHEREAS Section 624 of the Municipal Government Act, S.A. 1994, as amended ("the Act") requires that a Municipal Council establish a Development Authority by bylaw;

NOW THEREFORE the Council of the Village of Andrew, duly assembled, enacts as follows:

1. Name

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

2. Definitions

The following words and phrases mean:

2.1. "Act" means the Municipal Government Act, S.A. 1994, as amended.

2.2. "Council" means the Mayor and Councillors of the Village of Andrew 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. "Development Authority" means the persons established under Section 3 herein to perform the functions of a development authority under the Act.

2.4. "Regulations" means the Regulations passed pursuant to the Act.

3. Establishment of Development Authority

3.1. The Development Authority is hereby established.

3.2. The Development Authority shall consist of one (1) person appointed by resolution of the Council. That person may delegate his authority and responsibilities to another person or persons as he sees fit at his discretion.

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

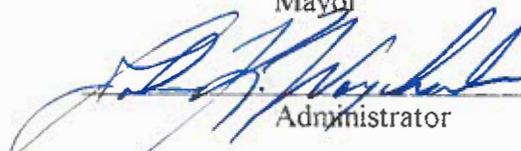
3.4. Council may remove the person from the position of Development Authority by resolution at any time.

3.5. The powers, duties and functions of the Development Authority shall be those described for the Development Officer described in the Land Use Bylaw of the Village of Andrew and such additional powers, as are described under the Act, the Regulations or this Bylaw.

READ A FIRST TIME THIS 14 DAY OF FEB, 1996, A.D.
199 ,



Mayor



Administrator


6. Responsibilities and Functions

- 6.1. The Subdivision Authority shall exercise those functions and powers within the Village of Andrew as are described in the Act and the Regulations.
- 6.2. The Subdivision Authority may delegate any of its responsibilities as provided for under the Act or the Regulations, except for the responsibility to approve, approve subject to conditions, or refuse subdivision applications, to another person or company.
- 6.3. The Subdivision Authority shall ensure statutory notices and decisions are provided to such persons as the Act and the Regulations require.
- 6.4. The Subdivision Authority is not required to hold a hearing in considering an application for subdivision.
- 6.5. 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 Chief Administrative Officer of the Village of Andrew and the Council at their request at all times.
- 6.6. The Subdivision Authority may make rules as are necessary for the conduct of its business that are consistent with this Bylaw, the Village of Andrew 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 that is 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, and
 - 6.7.4. all outstanding property taxes on the land proposed to be subdivided have been paid to the Village of Andrew or arrangements satisfactory to the Village of Andrew have been made for their 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 Andrew 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
 - (b) the proposed subdivision conforms with the use prescribed for that land in the Land Use Bylaw of the Village of Andrew.
- 6.9. The Subdivision Authority may approve, approve subject to conditions, or refuse an application for subdivision approval.
- 6.10. 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.

- 6.11. 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.
- 6.12. The power to extend the periods pursuant to Section 657(6) of the Act is delegated by the Council to the Subdivision Authority.
- 6.13. 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.

READ A FIRST TIME THIS 14 DAY OF FEB, 1996, A.D.
199 ,



Mayor



Administrator

READ A SECOND TIME THIS 28 DAY OF FEB, 1996, A.D.
199 ,



Mayor




Administrator

READ A THIRD TIME AND FINALLY PASSED THIS 28 DAY OF
FEB, A.D. 1996,



Mayor



Administrator