

BYLAW NO. 370-14

BEING A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY;

WHEREAS, the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended from time to time requires the municipality to adopt a Bylaw to establish a Municipal Subdivision and Development Authority;

AND WHEREAS, the Municipal Subdivision and Development Authority is authorized to make decisions for subdivision and development approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, this Bylaw may be cited as the Town of Coalhurst Municipal Subdivision and Development Authority Bylaw;

NOW THEREFORE, the Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. DEFINITIONS

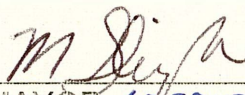
- (a) **Act** means the Municipal Government Act, Chapter M-26.1 as amended.
- (b) **Authorized persons** means a person or organization authorized by council to which the municipality may delegate any of its Municipal Subdivision and Development Authority powers, duties or functions.
- (c) **Council** means the Council of the Town of Coalhurst.
- (d) **Development Officer** means the person appointed to this position for the Town of Coalhurst.
- (e) **Member** means a member of the Municipal Subdivision and Development Authority.
- (f) **Municipality** means the Town of Coalhurst in the Province of Alberta.
- (g) **Municipal Subdivision and Development Authority** means the committee established to act as the Municipal Subdivision and Development Authority.
- (h) **All other terms used in this Bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended.**

- 2. For the purpose of this Bylaw, the Municipal Subdivision and Development Authority shall consist of two (2) members of Council and one (1) Member-at-Large.
- 3. Appointments to the Municipal Subdivision and Development Authority shall be made by resolution of Council.
- 4.
 - (a) The Municipal Subdivision and Development Authority will hear
 - i all subdivision applications,
 - ii all development applications for discretionary uses.

- (b) The Development Officer will continue to carry out his duties in accordance with Land Use Bylaw No. 354-12 on all development for permitted use.
- 5. The members of the Municipal Subdivision and Development Authority shall elect one of themselves as chairman to hold office for a term of one year from the date of election.
- 6. Each member of the Municipal Subdivision and Development Authority shall be entitled to such remuneration, travelling, and living expenses as may be fixed from time to time by Council; and the remuneration, travelling, and living expenses shall be paid by the Town of Coalhurst.
- 7. The Municipal Subdivision and Development Authority shall hold meetings as required pursuant to the Act, and it may also hold special meetings at any time at the call of the chairman.
- 8. Two members of the Municipal Subdivision and Development Authority shall constitute a quorum.
- 9. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Municipal Subdivision and Development Authority.
- 10. The Municipal Subdivision and Development Authority may make its orders, decisions, development permits, and subdivision approvals; and may issue notices, with or without conditions.
- 11. The Municipal Subdivision and Development Authority may make rules to govern its hearings, subject to the Policies and Bylaws of the Town of Coalhurst and the Municipal Government Act, and as contained in Appendix "A". Further, rules for Gallery Members shall be as in Appendix "B".
- 12. The Municipal Subdivision and Development Authority when considering an application for subdivision approval is not required to hold a hearing.
- 13. Members of the Municipal Subdivision and Development Authority shall not be members of the Municipal Subdivision and Development Appeal Board. As such, the Mayor of the Town of Coalhurst shall not be permitted to act as an Ex-Officio member of the Municipal Subdivision and Development Authority, in the absence of one of the Council members.
- 14. The Development Officer shall attend all meetings of the Municipal Subdivision and Development Authority, but shall not vote on any matter before the Municipal Subdivision and Development Authority.
- 15. Development Officer shall keep the following records with respect thereto:
 - (a) the minutes of all meetings;

- (b) all applications;
 - (c) records of all notices of meetings and of persons to whom they were sent;
 - (d) copies of all written representations to the Municipal Subdivision and Development Authority;
 - (e) notes as to each representation;
 - (f) the names and addresses of those making representations at the meeting;
 - (g) the decision of the Municipal Subdivision and Development Authority;
 - (h) the reasons for the decision of the Municipal Subdivision and Development Authority;
 - (i) the vote of the members of the Municipal Subdivision and Development Authority on the decision;
 - (j) records of all notices of decision and of persons to whom they were sent;
 - (k) all notices, decisions, and orders made on appeal from the decision of the Municipal Subdivision and Development Authority;
 - (l) such other matters as the Municipal Subdivision and Development Authority may direct.
16. Bylaw No. 350-11 is hereby rescinded.
17. This Bylaw comes into force upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 20TH DAY OF MAY, A.D. 2014
READ A SECOND TIME THIS 20TH DAY OF MAY, A.D. 2014
READ A THIRD TIME AND FINALLY PASSED THIS 20TH DAY OF MAY, A.D. 2014


MAYOR (DEPUTY)


Chief Administrative Officer

Municipal Subdivision & Development Authority Meeting Rules

This By-Law applies to:

- a. *all meetings of Council and,*
- b. *subject to the provisions of the MGA, Committees, Boards and authorities established by Council unless permission has been granted to them to establish their own procedures.*

-Section 3, Procedural Bylaw #240-97

The Municipal Subdivision and Development Authority may make rules to govern its hearings, subject to the Policies and By-Laws of the Town of Coalhurst and the Municipal Government Act.

-Section 11, MSDA Bylaw #370-14

1. Meeting Dates

- a. The regular meeting dates of the MSDA shall be the 1st and 3rd Tuesday of the month at 9:00am in Council's Chambers.

2. Meetings Open to the Public

- a. The MSDA shall hold its meetings open to the public except when deliberating and deciding upon applications for development, subdivision, and statutory plans, where the meeting may be closed to the public pursuant to Section 197(2.1) of the Municipal Government Act.

3. Conduct During Meetings

- a. The Chairperson shall maintain order and decorum of the meeting, and shall prevail over matters of procedure and privilege.

4. Quorum

- a. Should a quorum of MSDA members not be present within half of an hour on the time appointed for the meeting the MSDA shall then stand adjourned until the date and time of a future meeting to be set at the earliest date possible subject to the availability of the members, and the notification provisions of the Land Use Bylaw.

5. Agenda

- a. The agenda for all meetings of the MSDA shall be prepared by the Development Officer under the direction of the Chief Administrative Officer (CAO).
- b. The standing order of business on the agenda shall be as follows:
 - i. Call to Order
 - ii. Introductions
 - iii. Adoption of Agenda
 - iv. Adoption of Minutes
 - v. Delegations
 - vi. Development Applications
 - vii. Subdivision Applications
 - viii. Land Use Bylaw & Statutory Plan Adoption & Amendments
 - ix. Development Officer's Report
 - x. Discussion Items
 - xi. Adjournment
- c. Additional items shall only be added to the agenda if permitted by a majority vote of the MSDA.

- d. The agenda shall be circulated to MSDA members by no later than 4:30pm of the Friday prior to the Tuesday meeting at 9:00am.

6. Agenda Item Procedure

a. Call to Order

- i. The Chairperson shall call the meeting to order at the time prescribed for the meeting in consideration of 1(a).

b. Introductions

- i. The Chairperson shall direct introductions of all persons present including all members of the MSDA, administration and persons in the gallery.

c. Adoption of Agenda

- i. The MSDA shall adopt the meeting agenda prior to transacting any business and may add or delete any items by majority vote of the MSDA.

d. Adoption of Minutes

- i. The unapproved minutes from the last MSDA meeting shall be circulated with the agenda package.
- ii. If there are no errors or omissions the minutes of the last meeting shall be approved as circulated.
- iii. If there are errors or omissions the minutes shall be amended to the satisfaction of the MSDA and approved as amended. If extensive or complex amendments are required the adoption of the minutes may be postponed until the next meeting of the MSDA.

e. Delegations

- i. The MSDA shall hear any delegation as a result of direction from Council or the CAO.
- ii. The MSDA may request administration to procure a delegation on a particular topic of relevance or interest to the MSDA.
- iii. Delegations shall normally be limited to ten (10) minutes.

f. Development Applications

- i. The Development Officer shall prepare for the agenda package a written overview of all development permit applications including but not limited to the relevant requirements of the land use bylaw, any variance requests, merits of the application and a recommendation on the application.
- ii. The Development Officer shall provide an oral overview of all development permit applications prior to deliberation and a decision by the MSDA.
- iii. The Development Officer shall read out loud, verbatim, any proposed conditions to be attached to a decision prior to excusing the gallery and prior to deliberation and a decision by the MSDA.
- iv. The Chairperson shall ask if there are any persons in the gallery that would like to speak to the application prior to deliberation and a decision by the MSDA.

g. Subdivision Applications

- i. The Planning Advisor shall prepare for the agenda package a written overview of all subdivision applications including but not limited to the relevant requirements of the land use bylaw, conformity with the municipal development plan and other statutory & non-statutory plans, and variance requests, merits of the application and a recommendation on the application.

- ii. The Planning Advisor shall provide an oral overview of all subdivision applications prior to deliberation and a decision by the MSDA.
- iii. The Planning Advisor shall read out loud, verbatim, any proposed conditions to be attached to a decision prior to excusing the gallery and prior to deliberation and a decision by the MSDA except where it is not practical or appropriate to do so.
- iv. The Chairperson shall ask if there are any persons in the gallery that would like to speak to the application prior to deliberation and a decision by the MSDA.
- h. *Land Use Bylaw & Statutory Plan Adoption & Amendments*
 - i. The MSDA shall provide a recommendation on any statutory plan bylaw adoption and amendment to Council prior to 2nd reading of the same.
 - ii. The Development Officer, Planning Advisor or other delegate of the CAO shall provide a detailed written overview of the statutory plan adoption or amendment for inclusion in the agenda package.
 - iii. The Chairperson shall ask if there are any persons in the gallery that would like to speak to the statutory plan bylaw proposal prior to deliberation and a recommendation by the MSDA.
- i. *Development Officer's Report*
 - i. The Development Officer shall provide a brief written overview of all development permit and enforcement activities in the Town for the period since the last meeting of the MSDA.
- j. *Discussion Items*
 - i. Discussion items may include anything relevant to the operation of the MSDA or happenings in the Town including business arising from the minutes and correspondence directed to the MSDA.
 - ii. The MSDA may make recommendations to Council on matters relevant to the MSDA.
 - iii. The MSDA may make inquiries for further information to be provided on a matter or topic of relevance to the MSDA.
 - iv. Administration shall, subject to the direction of the CAO, provide the necessary information to the MSDA at the next meeting of the MSDA.

7. Procedure for Submissions

- a. Applicants and gallery members making submissions on development permit, subdivision and statutory plan applications shall identify themselves and their location of residence prior to speaking and shall normally limit their submission to five (5) minutes or an additional amount of time necessary to convey their submission at the discretion of the Chairperson.
- b. The general sequence of submissions for all development permit, subdivision and statutory plan applications, following an overview by a member of administration, shall be as follows:
 - i. Applicant, Gallery Members, Applicant (response), Administration, MSDA Members
- c. The sequence of submissions may be interrupted at any time, with the permission of the Chairperson, for clarification or brief questioning.
- d. The Development Officer or Planning Advisor shall read out loud, verbatim, any written submissions received with respect to an application, except where it is not practical or appropriate to do so.

Municipal Subdivision & Development Authority Meeting Rules **for Gallery Members**

1. Meetings Open to the Public

- a. The MSDA shall hold its meetings open to the public except when deliberating and deciding upon applications for development, subdivision, and statutory plans, where the meeting may be closed to the public pursuant to Section 197(2.1) of the Municipal Government Act.

2. Conduct During Meetings

- a. The Chairperson shall maintain order of the meeting, and shall prevail over matters of procedure and privilege. All comments and questions must be addressed to the chair by raising your hand. Any persons displaying inappropriate or non-courteous language or behavior shall be required to leave the meeting.

3. Development, Subdivision and Statutory Plan Amendment Applications

- a. Every person present shall have the opportunity to voice comments and questions with respect to development permit, subdivision and statutory plan amendment applications. Submission times may be limited by the Chairperson.
- b. The general sequence of submissions for all development permit, subdivision and statutory plan applications, following an overview by a member of administration, shall be as follows:
 - i. Applicant, Gallery Members, Applicant (response), Administration, MSDA Members

These rules are established pursuant to Section 11 of MSDA Bylaw #370-14 whereby:

"The Municipal Subdivision and Development Authority may make rules to govern its hearings, subject to the Policies and By-Laws of the Town of Coalhurst and the Municipal Government Act."

4. Agenda

- a. The normal order of business for the agenda shall be:
 - i. Call to Order
 - ii. Introductions
 - iii. Adoption of Agenda
 - iv. Adoption of Minutes
 - v. Delegations
 - vi. Development Applications
 - vii. Subdivision Applications
 - viii. Land Use Bylaw & Statutory Plan Adoption & Amendments
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