



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

Administrative Briefing

Jubilee Centre Council Chamber
9909 Franklin Avenue, Fort McMurray

Tuesday, February 18, 2014
6:00 p.m.

From time to time, items will be scheduled which must be dealt with in private due to the sensitive or confidential nature of the matter, and in such cases, the specific section of the Freedom of Information and Protection of Privacy Act will be referenced on the agenda.

Agenda

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| 5:50 p.m. | Relocate to Council Chamber |
| 6:00 p.m. | 1. Adoption of Agenda |
| 6:00 - 6:30 p.m. | 2. Saline Creek Development Collaboration
- Felice Mazzoni, Director, Planning and Development |
| 6:30 p.m. | 3. <i>Motion to move in camera</i> |
| 6:30 - 7:00 p.m. | 4. Contractual Matters
(In Camera, pursuant to Sections 16 and 24 of the Freedom of Information and Protection of Privacy Act) |
| 7:00 - 7:30 p.m. | 5. Personnel Matters
(In Camera, pursuant to Section 25 of the Freedom of Information and Protection of Privacy Act) |
| 7:30 - 8:00 p.m. | 6. <i>Motion to reconvene in public</i> |
| 8:00 p.m. | 7. Adjournment |

<p>Prepared for: Mayor and Councillors Title: Delegation of Subdivision Authority Date prepared: February 13, 2014</p>	<p>Prepared by: Felice Mazzoni, MCIP Title: Director Department: Planning & Development Reviewed by: Henry Hunter, ED - Public Infrastructure & Planning</p>
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SUBJECT:

To create a subdivision authority bylaw to appoint subdivision authority to the Director of Planning. He would be authorized to exercise subdivision powers and duties on behalf of the Municipality which would facilitate a more efficient and effective subdivision approval process.

BACKGROUND:

Presently Bylaw 99/043 states that Council is responsible for the approval or refusal of an application for subdivision if there are sixteen (16) or more lots to be created by a proposed subdivision.

CURRENT STATUS:

Developers have shown the tendency to apportion their proposed subdivisions into 15 (or less) lot phases in order to avoid delays of going through the agenda process and having their applications go before Council as a report for approval. Subsequently, the smaller phased subdivisions the Planning & Development department receive result in complications in processing “piece-meal” applications making them difficult to track, process and approve. Given the operational flexibility offered by the *Municipal Government Act* to each municipality with respect to subdivision authority, there exists an opportunity for improvement in our region.

KEY CONSIDERATIONS:

The subdivision authority bylaws of other large urban and rural municipalities in Alberta have been reviewed by Administration and follow the proposed model of delegating the approving authority for subdivisions. However, Council still remains the ultimate approval mechanism for developments and densities through submitted Area Structure Plans, Zoning Amendments and Development Permits. The approval of corresponding subdivision applications would remain consistent with these development mechanisms.

Given Council’s desire to work collaboratively with industry and to reduce application processing timeframes, delegating subdivision authority to staff would result in decreased

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application processing times, greater efficiency and an improved collaborative approach to subdivision applications, especially larger scale developments. Key features of a proposed bylaw would include the following:

1. Responsibility and authority for technical review and approval is delegated to professional technical staff.
2. Applicants' rights to appeal decisions of the Subdivision Authority remain unchanged.
3. Residents' rights to appeal decisions of the Subdivision Authority remain unchanged.
4. Extension of registration and endorsement timelines become a Council decision per the *Act*.

NEXT STEPS/ACTION:

Direct staff to prepare a subdivision authority bylaw and corresponding report to Council pursuant to Section 623 of the *Municipal Government Act*.

ATTACHMENT:

1. Bylaw 14-XXX Subdivision Authority Bylaw

BYLAW NO. 14/XXX

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO ESTABLISH A SUBDIVISION AUTHORITY.

WHEREAS Section 623 of the *Municipal Government Act*, R.S.A., 2000, c.M-26, and amendments thereto, requires that a municipality establish a Subdivision Authority to exercise subdivision powers and duties on behalf of the Municipality.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. This Bylaw shall be cited as the “Subdivision Authority Bylaw.”
2. The Subdivision Authority is hereby established and authorized to exercise subdivision powers and duties on behalf of the Regional Municipality of Wood Buffalo.
3. The Subdivision Authority shall be governed by the provisions of the Municipal Government Act (the “Act”) and any regulations made thereunder.
4. Definitions:
 - a) “Act” means the Municipal Government Act, R.S.A. 1994, c.M-26, as amended.
 - b) “Municipality” means the Regional Municipality of Wood Buffalo.
 - c) “Council” means the Regional Council of the Regional Municipality of Wood Buffalo.
 - d) “Director” means the Director of the Planning and Development Department or any person acting as the Director of the Planning and Development Department.
 - e) “Manager” means the Manager of the Community Development Planning Branch, or in their absence the person designated by the Director as the Acting Manager of the Community Development Planning Branch.
 - f) “Member(s)” means the Director, the Manager or the Supervisor.
 - g) “Regulation” means the Subdivision and Development Regulation, as amended.
 - h) “Supervisor” means the person designated as the Supervisor, Development Control and Permitting (by the Director or in their absence the person

designated by the Director as the Acting Supervisor, Development Control and Permitting).

5. The Subdivision Authority shall consist of the Director, the Manager and the Supervisor who are authorized to exercise subdivision powers and duties on behalf of the Municipality as prescribed by the Act and the Regulation.
6. The Supervisor shall be responsible for the processing of subdivision applications including, but not limited to:
 - a) receiving applications for subdivision and determining if the application is complete;
 - b) giving notice of receipt of a subdivision application as required by the Act and the Regulation;
 - c) coordinating the review of the application by the municipal departments and other agencies;
 - d) endorsing a plan of subdivision upon being satisfied that the conditions of approval are satisfied; and
7. A decision on a subdivision application may be made:
 - a) by any Member, acting alone, or
 - b) by a Committee of two or more Members.
8. The application and endorsement fees to be charged by the Subdivision Authority shall be determined by Council.
9. The decision of the Subdivision Authority shall be signed by whichever member or members of the Subdivision Authority reviewed and decided upon the subdivision application.
10. THAT Bylaw No. 99/043 and any amendments thereto are hereby repealed.
11. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this _____ day of _____, A.D. 2014.

READ a second time this _____ day of _____, A.D. 2014.

READ a third and final time this _____ day of _____, A.D. 2014.

SIGNED and PASSED this _____ day of _____, A.D. 2014.

Mayor

Chief Legislative Officer

DRAFT

