



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN IN THE PROVINCE OF ALBERTA TO ESTABLISH A SUBDIVISION AUTHORITY TO EXERCISE SUBDIVISION POWERS AND DUTIES ON BEHALF OF THE CITY OF FORT SASKATCHEWAN.

BYLAW NO. C21-12

WHEREAS, Section 623 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended or repealed and replaced from time to time requires that a council must establish a subdivision authority bylaw;

NOW THEREFORE, the Council of the City of Fort Saskatchewan, duly assembled, enacts as follows:

1. TITLE

- 1.1. This Bylaw shall be known as the "Subdivision Authority Bylaw".

2. DEFINITIONS

In this Bylaw:

- 2.1. "Act" means the *Municipal Government Act*, R.S.A. 2000, c. M-26 as amended or repealed and replaced from time to time;
- 2.2. "City" means the City of Fort Saskatchewan;
- 2.3. "City Manager" means the City's Chief Administrative Officer or his designate; and
- 2.4. "Land Use Bylaw" means the City's Land Use Bylaw, as amended or repealed and replaced from time to time.

3. SUBDIVISION AUTHORITY

- 3.1. The Subdivision Authority of the City of Fort Saskatchewan shall be:
- (a) The City Manager or any other administrative staff member appointed by the City Manager.

4. SUBDIVISION POWERS AND DUTIES

- 4.1. The Subdivision Authority is authorized to exercise subdivision powers and duties on behalf of the City in accordance with the Act and the Land Use Bylaw.
- 4.2. The Subdivision Authority may make rules as are necessary for the conduct of its business that are consistent with this Bylaw, other City bylaws, and the Act.
- 4.3. The power to extend the time for endorsement of subdivision plans and for registration of subdivision plans in accordance with the Act is delegated to the Subdivision Authority.

- 4.4. The power to decide if any environmental reserve easement is to be applied to a parcel of land which is subject to a subdivision rather than an environmental reserve in accordance with the Act is delegated to the Subdivision Authority.
- 4.5. The fees to be charged by the Subdivision Authority in connection with the steps involved in the subdivision of land shall be in accordance with the Fees and Charges Bylaw as amended or repealed and replaced from time to time.
- 4.6. Upon endorsement of a final plan of subdivision, the Subdivision Authority is authorized to accept minor modifications to the approved design provided:
 - (a) No more than one (1) additional lot is created;
 - (b) The size, amount or location of municipal reserve, school reserve, municipal and school reserve, or environmental reserve are not changed;
 - (c) Roadway standards of the City are not compromised; and
 - (d) Such adjustments comply with the Land Use Bylaw with the exception that minor changes to the standards may be included pursuant to Section 654(2) of the Act.

5. NUMBER AND GENDER REFERENCES

- 5.1. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person or corporation or partnership.

6. SEVERABILITY

- 6.1 If any portion of this Bylaw is deemed invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

7. REPEAL

- 7.1. Bylaw C12-11, and amendments thereto are hereby repealed.

8. EFFECTIVE DATE

- 8.1. This Bylaw becomes effective upon third and final reading.

READ a first time this 13th day of November A.D. 2012.

READ a second time this 13th day of November A.D. 2012.

READ a third time and finally passed this 27th day of November A.D. 2012.


MAYOR


DIRECTOR, LEGISLATIVE SERVICES

Date Signed: November 28, 2012