

BYLAW NO. 3008

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT to establish a subdivision authority.

WHEREAS Part 17, Planning and Development, of the *Municipal Government Act* S.A. 1994, Chapter M-26.1 requires a municipality to establish a subdivision authority;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

TITLE

Amended by:
Bylaw 4168
Aug. 9, 2013

1. This Bylaw may be cited as the Subdivision Authorities Bylaw.

DEFINITIONS

Amended by:
Bylaw 4168
Aug. 9, 2013

Amended by:
Bylaw 4168
Aug. 9, 2013

Amended by:
Bylaw 4168
Aug. 9, 2013

Amended by:
Bylaw 4156
Feb 5, 2013

Amended by:
Bylaw 4447
Apr. 3, 2018

Amended by:
Bylaw 4168
Aug. 9, 2013

2. In this Bylaw:
 - (a) "Act" means the *Municipal Government Act* S.A. 1994 Chapter M-26.1;
 - (b) "City" means the corporation of the City of Medicine Hat or the land lying within the boundaries of the City of Medicine Hat, as required by the context;
 - (c) "Council" means the Council of the City of Medicine Hat;
 - (d) Repealed
 - (e) Repealed
 - (f) "Land Use Bylaw" means the land use bylaw passed by Council under the Act;
 - (g) "Manager" means the General Manager of the Planning and Development Services Department of the City or in that person's absence a development officer designated by the General Manager of the Planning and Development Services Department;
 - (h) "Municipal Planning Commission" means the municipal planning commission established by Council under the Land Use Bylaw; and
 - (i) "Subdivision Authority" means the subdivision authority established under Section 6 of this Bylaw.

Amended by:
Bylaw 4168
Aug. 9, 2013

REPEALED

3. Repealed

4 Repealed

5. Repealed

SUBDIVISION AUTHORITY

6. A subdivision authority is hereby established to exercise subdivision powers and duties on behalf of the City.

Amended by:
Bylaw 4447
Apr. 3, 2018

7. The Subdivision Authority is:

- (a) the Manager; or
- (a) the Municipal Planning Commission.

8. The Subdivision Authority has all the powers and duties of a subdivision authority under the Act, regulations under the Act and any other statute or regulations.

Amended by:
Bylaw 4447
Apr. 3, 2018

9. DELETED

Amended by:
Bylaw 4447
Apr. 3, 2018

10. The Manager may refer any subdivision to the Municipal Planning Commission for approval.

11. The Manager shall:

- (a) receive all applications for subdivision and determine if the applications are complete;
- (b) give notice of receipt of subdivision applications as required by the Act;
- (c) coordinate the review of applications by City departments and other agencies; and
- (d) endorse plans of subdivision or other instruments effecting subdivision in accordance with the provisions of the Act.

Amended by:
Bylaw 4447
Apr. 3, 2018

12. Following approval of a subdivision by the Subdivision Authority, the Manager may approve minor modifications to the subdivision, provided:

- (a) no more than one additional lot is created;
- (b) the modifications do not affect reserve land;
- (c) roadway standards of the City are not compromised; and
- (d) subject to Section 654(2) of the Act, the modifications comply with the provisions of the Land Use Bylaw.

Amended by:
Bylaw 4447
Apr. 3, 2018

13. The Manager may enter into an agreement under Section 681 of the Act with respect to a subdivision.

Amended by:
Bylaw 4156
Feb 5, 2013

14. Council's powers to grant extensions under Section 657 of the Act are hereby delegated as follows:

Amended by:
Bylaw 4447
Apr. 3, 2018

- (a) The Manager may grant extensions for any subdivision application.
 - (b) The Municipal Planning Commission may grant extensions for any subdivision referred by the Manager.
15. Council may by resolution establish fees to be charged with respect to subdivisions in the City.

READ A FIRST TIME in open Council on November 6, 1995

READ A SECOND TIME in open Council on November 20, 1995

READ A THIRD TIME in open Council on November 20, 1995

SIGNED AND PASSED on November 21, 1995

I HEREBY CERTIFY THAT this is a true and correct copy of Bylaw No. 3008 consolidated pursuant to section 69 of the *Municipal Government Act* to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS _____ DAY OF _____, 20__.

 ANGELA CRUICKSHANK
 MUNICIPAL SECRETARY AND CITY CLERK
 CITY OF MEDICINE HAT