

MOUNTAIN VIEW COUNTY

BYLAW NO. 05/07

Establish MPC and Administrative Subdivision and Development  
Approving Authority

Consolidated December 16, 2015

**NOTE:**

**All persons making use of the consolidation are reminded that it has no legislative sanction, that the amendments have been embodied for convenience of reference only, and that the original Acts should be consulted for all purposes of interpreting and applying the bylaw.**

**OFFICE CONSOLIDATION**

**Mountain View County  
Province of Alberta**

**Bylaw No. 05/07**

**A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE MUNICIPAL PLANNING COMMISSION, ADMINISTRATIVE SUBDIVISION AND DEVELOPMENT APPROVING AUTHORITY AND DEVELOPMENT OFFICER FOR MOUNTAIN VIEW COUNTY.**

101. WHEREAS, Sections 623 and 624 of the Municipal Government Act, provide that Council must by Bylaw establish a subdivision and development authority.
102. NOW, therefore the Council of Mountain View County, in council, duly assembled, hereby enacts as follows:
- a. This bylaw may be cited as Approving Authorities Bylaw. (Bylaw No.16/10)

**DEFINITIONS**

201. In this Bylaw:
- a. "Act" refers to the Municipal Government Act, R.S.A. 2000, M-26 as amended from time to time.
  - b. "Administrative Authority" means the Administrative Subdivision and Development Approving Authority for Mountain View County.
  - c. "Commission" means the Municipal Planning Commission of Mountain View County.
  - d. "Council" means the Council of Mountain View County.
  - e. "Development Officer" means the Development Officer of Mountain View County.
  - f. "Municipality" means Mountain View County, a municipal corporation in the Province of Alberta, and where the context requires, means the area contained within the corporate boundaries of the said municipality.

**ESTABLISHMENT OF THE MUNICIPAL PLANNING COMMISSION, ADMINISTRATIVE SUBDIVISION AND DEVELOPMENT APPROVING AUTHORITY, AND DEVELOPMENT OFFICER**

301. That a Commission known as the Municipal Planning Commission of Mountain View County, hereinafter called "the Commission", is hereby established to act as a subdivision and development authority.
302. That an Administrative Authority known as the Administrative Subdivision and Development Approving Authority of Mountain View County, hereinafter called "the Administrative Authority", is hereby established to act as a subdivision and development authority, and has the same approving authority as the Development Officer and additional authorities as outlined in this Bylaw.
303. The office of the Development Officer is hereby constituted and shall be appointed by the Chief Administrative Officer of Mountain View County. (Bylaw No. 16/10)

304. The Commission shall consist of:
- a. Not less than seven (7) members appointed by Council.
  - b. No person who is a member of the Subdivision and Development Appeal Board shall be a member of the Commission.
305. The Administrative Authority shall be the Chief Administrative Officer of Mountain View County as appointed by Council.

**DUTIES OF THE COMMISSION,  
DEVELOPMENT OFFICER,  
AND ADMINISTRATIVE AUTHORITY**

401. The Commission, Administrative Authority and Development Officer shall seek to ensure that any subdivision and development approved is in accordance with the purpose, scope or intent of the Municipal Development Plan, Land Use Bylaw, Area Structure Plans and Provincial Acts and Regulations.
402. The Commission, Administrative Authority and the Development Officer are hereby authorized and assigned by Council to act as a Development Authority and to receive, consider and decide on applications for development permits received by the municipality, and to make recommendations on those development permits which may be referred to neighbouring municipalities due to the close proximity of proposed development to neighbouring municipal boundaries. (Bylaw No. 16/10)
403. The Commission and Administrative Authority are hereby authorized and assigned by Council to act as a Subdivision Authority and to receive, consider and decide on subdivision applications received by the municipality, and to make recommendations on those subdivision applications which may be referred to neighbouring municipalities due to the close proximity of proposed subdivisions to neighbouring municipal boundaries.
404. The Commission and Administrative Authority are hereby authorized and assigned by Council to issue subdivision time extensions in accordance with the Land Use Bylaw. (Bylaw No.16/10)

**SECRETARY OF THE COMMISSION**

501. The office of Secretary to the Commission is hereby constituted and shall be appointed by the Chief Administrative Officer of Mountain View County, but that person shall not have a vote.
502. The Secretary of the Commission shall:
- a. Notify all members of the Commission of the arrangements for the holding of each meeting of the Commission.
  - b. Ensure the required notice of the meeting is given to all affected parties.
  - c. Prepare and maintain a file of the written minutes of the business transacted at all the meetings of the Commission.
  - d. Issue to all affected parties and persons, notices of the decisions of the Commission.
  - e. Carry out such other duties as the Commission may specify.

**CONDUCT OF BUSINESS OF THE COMMISSION**

601. The Commission shall elect a Chairperson and a Vice Chairperson from its members at the annual organizational meeting of the Commission.
602. Four members of the Commission shall constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Chairman.
603. Only those members of the Commission present at a meeting of the Commission shall vote on any matter before it.
604. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole Commission. If there are an equal number of votes for or against a resolution, the resolution is defeated.
605. The Commission shall hold such meetings as are necessary to fulfill the Commission's responsibility.
606. The Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with this Bylaw, Municipal Development Plan, Land Use Bylaw, Area Structure Plans and Provincial Acts and Regulations.
607. The remuneration, traveling and other expenses of the Chairperson and other members of the Commission shall be established by Council resolution and/or policies.

**CONDUCT OF BUSINESS OF THE ADMINISTRATIVE AUTHORITY**

701. Administrative Authority shall hold such meetings as are necessary to fulfill the Administrative Authority's responsibility.
702. The Administrative Authority shall review and render decision on Development Permit Applications which:  
(Bylaw No. 17/15)
  - a. require a setback relaxation of the required setbacks as outlined in the Site Regulations of each specific district, which are deemed by the Approving Authority not to have a negative impact on adjacent lands or uses;  
(Bylaw No. 17/15)
  - b. discretionary uses of land and/or buildings as outlined each specific district, which are deemed by the Approving Authority not to have a negative impact on adjacent lands or uses.  
(Bylaw No. 17/15)
703. The Administrative Authority shall review and render decisions on Subdivision Applications which:
  - a. are the first parcel out of a quarter section;
  - b. has been redesignated by Council previously; or
  - c. meets the requirements of any approved Area Structure Plan.
704. The Administrative Authority holds the right to refer any Development or Subdivision application to the Commission to render a decision.

**CONDUCT OF BUSINESS OF THE DEVELOPMENT OFFICER**

(Bylaw No. 16/10)

- 801. The Development Officer shall review and render decisions on Development Permit Applications which:
  - a) are deemed permitted uses;
  - b) require a setback relaxation up to 20% of the required setbacks as outlined in the Land Use Bylaw.
- 802. The Development Officer holds the right to refer any Development Permit Application to the Administrative Authority or to the Commission to render a decision.

**OTHER MATTERS**

- 901 The setting of fees for any matter coming before the Commission, Development Officer and Administrative Authority, shall be established by resolution of Council, as it considers necessary.
- 902. The Commission, Development Officer and Administrative Authority, may make orders, decisions, and issue notices with or without conditions.
- 903. The Chief Administrative Officer, or designate, are hereby authorized to sign decisions, instruments for endorsement, easements, caveats, development permits, time extensions permitted by the Act and other documents as may be required to conduct the business of the Commission and Administrative Authority.
- 904. Bylaw 73/95 will be repealed at the time that this Bylaw becomes effective.

**EFFECTIVE DATE**

1001. This Bylaw shall come into effect at such time as it has received third (3<sup>rd</sup>) reading and has been signed in accordance with the Municipal Government Act.

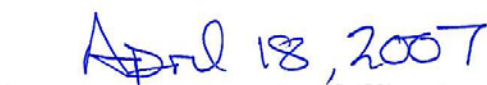
Read the first time the 14<sup>th</sup> day of March, 2007

Read the second time the 18<sup>th</sup> day of April, 2007

Read the third time the 18<sup>th</sup> day of April 2007

  
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 Reeve

  
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 Chief Administrative Officer

  
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 Date of Signing