

# BYLAW C-7967-2019

## OFFICE CONSOLIDATION

A Bylaw of Rocky View County, in the Province of Alberta, to establish a Municipal Planning Commission.

**WHEREAS** section 626(1) of the *Municipal Government Act* authorizes Council to establish a Municipal Planning Commission by bylaw;

**AND WHEREAS** section 623(1) of the *Municipal Government Act* provides that Council must establish by bylaw a Subdivision Authority to exercise subdivision powers and duties on behalf of Rocky View County;

**AND WHEREAS** section 624(1) of the *Municipal Government Act* provides that Council must establish by bylaw a Development Authority to exercise development powers and duties on behalf of Rocky View County;

**NOW THEREFORE** the Council of Rocky View County enacts as follows:

### Title

1 This Bylaw may be cited as the *Municipal Planning Commission Bylaw*.

### Definitions

2 Words in this Bylaw have the same meaning as those set out in the *Municipal Government Act*, except as follows:

- (1) **“Administration”** means the operations and staff of Rocky View County under the direction of the Chief Administrative Officer.
- (2) **“Council”** means the duly elected Council of Rocky View County;
- (3) **“Councillor”** means a duly elected Councillor of Rocky View County;
- (4) **“Chief Administrative Officer”** means the Chief Administrative Officer of Rocky View County pursuant to the *Municipal Government Act* or their authorized delegate;
- (5) **“Development Authority”** means a Development Authority as defined and contemplated in the *Municipal Government Act*;
- (6) **“Land Use Bylaw”** means Rocky View County Bylaw C-4841-97, being the *Land Use Bylaw*, as amended or replaced from time to time;

- (7) **“Member”** means a person appointed to the Municipal Planning Commission and includes either a Councillor or a Member at Large.
- (8) **“Member at Large”** means a person appointed to the Municipal Planning Commission who is a member of the public and not a Councillor.
- (9) **“Municipal Government Act”** means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
- (10) **“Procedure Bylaw”** means Rocky View County Bylaw C-7295-2013, being the *Procedure Bylaw*, as amended or replaced from time to time;
- (11) **“Rocky View County”** means Rocky View County as a municipal corporation and the geographical area within its *jurisdictional* boundaries, as the context requires;
- (12) **“Subdivision Authority”** means a Subdivision Authority as defined and contemplated in the *Municipal Government Act*, and
- (13) **“Subdivision Authority Bylaw”** means Rocky View County Bylaw C-7546-2015, being the *Subdivision Authority Bylaw*, as amended or replaced from time to time.

### **Municipal Planning Commission Authority**

- 3 The Municipal Planning Commission:
  - (1) is the Development Authority for any development application referred to the Municipal Planning Commission under an applicable bylaw, policy, or procedure of Rocky View County or by the Chief Administrative Officer; and
  - (2) is the Subdivision Authority for any subdivision application referred to the Municipal Planning Commission under any applicable bylaw, policy, or procedure of Rocky View County or by the Chief Administrative Officer.
- 4 When acting as the Development Authority, the Municipal Planning Commission exercises the requisite development powers and duties under the Municipal Government Act and its applicable regulations. Permitted uses where there is no proposed variance will be administered by Administration whenever possible.
- 5 When acting as the Subdivision Authority, the Municipal Planning Commission exercises the requisite subdivision powers and duties under the *Municipal Government Act* and its applicable regulations.
- 6 The Municipal Planning Commission may consider and make recommendations on any other matter referred to it by Council, Administration, or another board or committee of Rocky View County.

### **Membership, Appointments, and Remuneration**

- 7 The membership of the Municipal Planning Commission may consist of councillors and/or members at large as determined by Council.

- 8 Members of the Municipal Planning Commission are appointed by resolution of Council and serve at the pleasure of Council. Members serve for a term of office as determined by Council.
- 9 Members of the Municipal Planning Commission are remunerated in accordance with applicable Rocky View County policies and procedures.

### **Chair and Vice Chair**

- 10 Council must appoint a Chair and Vice Chair of the Municipal Planning Commission by resolution for a term of office as determined by Council.
- 11 The Chair presides over all Municipal Planning Commission meetings while in attendance and has all the requisite powers of a Chair under the *Procedure Bylaw*.
- 12 The Vice Chair performs the duties of the Chair when the Chair is unable to perform those duties.

### **Meetings**

- 13 Municipal Planning Commission meetings are held on dates and times determined by Council at its annual organizational meeting.
- 14 Additional meetings may be held on dates and times determined by the Municipal Planning Commission as required to fulfil its duties.
- 15 Municipal Planning Commission meetings are advertised in accordance with the *Municipal Government Act* and any applicable Rocky View County bylaw, policy, or procedure.
- 16 Applications to be considered at Municipal Planning Commission meetings are circulated in accordance with the *Municipal Government Act* and its applicable regulations and any applicable Rocky View County bylaw, policy, or procedure.
- 17 The Chief Administrative Officer is responsible for the following:
  - (1) Preparing agendas and minutes for each Municipal Planning Commission meeting;
  - (2) Providing notice of each Municipal Planning Commission meeting and each application to be considered at a Municipal Planning Commission meeting;
  - (3) Preparing and issuing notices of decision on behalf of the Municipal Planning Commission; and
  - (4) Signing decisions and instruments required for endorsements, easements, caveats, development permits, and other documents that are required for development and subdivision

### **Meeting Procedures**

- 18 Municipal Planning Commission meetings are conducted in accordance with Rocky View County's *Procedure Bylaw*.

- 19 Decisions of the Municipal Planning Commission are determined by simple majority vote.
- 20 Quorum is three Members of the Municipal Planning Commission.<sup>1</sup>

**Severability**

- 21 If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

**Amendment and Effective Date**

- 22 Rocky View County Bylaw C-7840-2019, being the *Boards and Committees Bylaw*, is amended as follows:
- (1) Add a new section 9(6) and 31(5) with the following wording: “Municipal Planning Commission.”
- 23 Bylaw C-7967-2019, being the *Municipal Planning Commission Bylaw*, is passed when it receives third reading and is signed in accordance with the *Municipal Government Act*.
- 24 Bylaw C-7967-2019, being the *Municipal Planning Commission Bylaw*, comes into full force and effect on February 1, 2020.

READ A FIRST TIME IN COUNCIL this	26 <sup>th</sup> day of November, 2019
READ A SECOND TIME IN COUNCIL this	26 <sup>th</sup> day of November, 2019
<i>UNANIMOUS PERMISSION FOR THIRD READING this</i>	<i>26<sup>th</sup> day of November, 2019</i>
READ A THIRD TIME IN COUNCIL this	26 <sup>th</sup> day of November, 2019

“Greg Boehlke”  
 \_\_\_\_\_  
 Reeve

“Charlotte Satink”  
 \_\_\_\_\_  
 CAO or Designate

November 26, 2019  
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 Date Bylaw Signed

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<sup>1</sup> Bylaw C-8021-2020