



TOWN OF GIBBONS

Approving Authorities Bylaw

Bylaw PLU 2-22

BEING A BYLAW OF TOWN OF GIBBONS IN THE PROVINCE OF ALBERTA TO ESTABLISH APPROVING AUTHORITIES FOR DEVELOPMENT AND SUBDIVISION WITHIN THE TOWN OF GIBBONS.

WHEREAS, Section 623 of the Municipal Government Act, RS.A. 2000 Chapter M-26 as amended, requires that a Municipal Council must establish a Subdivision Authority by bylaw;

AND WHEREAS, Section 624 of the Municipal Government Act, RS.A. 2000 Chapter M-26 as amended, requires that a Municipal Council must establish a Development Authority by bylaw;

AND WHEREAS, Section 626 of the Municipal Government Act, RS.A. 2000 Chapter M-26 as amended, authorizes Town of Gibbons to establish a Municipal Planning Commission by bylaw;

WHEREAS, NOW THEREFORE, The Council for Town of Gibbons in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE

1.1 This bylaw may be cited as the "Approving Authorities Bylaw".

2. DEFINITIONS

The following words and phrases mean:

- 2.1. "Act" means the Municipal Government Act, RS.A. 2000, as amended
2.2. "Chief Administrative Officer" shall be the Chief Administrative Officer, as appointed by Council.
2.3. "Council" means the Council of Town of Gibbons.

Document History

Table with 2 columns: Action (Bylaw Adopted, Amended and Adopted) and Date (April 13-22, April-2027)

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- 2.4. "Development Application" means an application made in accordance with the Land Use Bylaw for the purpose of obtaining a development permit.
- 2.5. "Development Authority" means the authority established under this bylaw to perform the duties and functions of a Development Authority under the Act.
- 2.6. "Development Officer" means the Development Officer as established under the Land Use Bylaw.
- 2.7. "Development Permit" means a document authorizing development issued in accordance with the Land Use Bylaw.
- 2.8. "Land Use Bylaw" means the current Town of Gibbons Land Use Bylaw, as amended, or replaced from time to time.
- 2.9. "Regulations" means the Regulations proclaimed pursuant to the Act.
- 2.10. "Schedule of Fees Bylaw" means the current Schedule of Fees as amended or replaced from time to time.
- 2.11. "Subdivision Authority" means the person(s) established under this bylaw to perform the duties and functions of a Subdivision Authority under the Act.
- 2.12. "Subdivision Approving Officer" means a person appointed by the Subdivision Authority to perform all the powers, duties, and functions of the Subdivision Authority.
- 2.13. "Subdivision and Development Appeal Board" means the Intermunicipal Subdivision and Development Appeal Board established under the Subdivision and Development Appeal Board Bylaw, as amended, or replaced from time to time and in accordance with the Act.

3. DEVELOPMENT AUTHORITY

- 3.1. The Development Authority is hereby established.
- 3.2. The Development Authority shall be the Chief Administrative Officer for;
 - 3.2.1 An application for development approval which is a permitted use under the Land Use Bylaw, and which complies with the requirements and regulations set out in the Land Use Bylaw;
 - 3.2.2 An application for development approval which is a permitted use under the Land Use Bylaw, and which requests a minor waiver not in excess of 10 percent of a measurable standard or any other waiver as specifically authorized in the Land Use Bylaw;
 - 3.2.3 An application for development approval which is a discretionary use under the Land Use Bylaw; or

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- 3.2.4 An application for development approval which is a permitted use under the Land Use Bylaw which does not otherwise comply with the requirements and regulations as set out in the Land Use Bylaw, except where the Development Authority is authorized as per Section 4(b).
- 3.3. Notwithstanding Section 4(c), the Development Authority may forward an application for development approval to Council.
- 3.4. The Development Authority may delegate all the powers, duties, and functions of the Development Authority to a Development Officer, as established under the Land Use Bylaw.
- 3.5. Unless otherwise specified in the Land Use Bylaw, Council is the Development Authority for all Development Permit applications in Direct Control Districts.
- 3.10. Responsibilities And Functions:
 - 3.10.1. The powers and duties of the Development Authority shall include the powers, duties and functions as described in the Act, the Subdivision and Development Regulation, the Land Use Bylaw, this Bylaw, and any other applicable legislation.

4. SUBDIVISION AUTHORITY

- 4.1. The Subdivision Authority is hereby established.
- 4.2. The Subdivision Authority shall be the Chief Administrative Officer.
- 4.3. Responsibilities And Functions:
 - 4.3.1. The powers and duties of the Subdivision Authority shall include the powers, duties and functions as described in the Act, the Subdivision and Development Regulation, the Land Use Bylaw, this Bylaw, and any other applicable legislation.
 - 4.3.2. The Subdivision Authority may make rules as are necessary for the conduct of its business that are consistent with the Act, Regulations, the Land Use Bylaw, and this Bylaw.
 - 4.3.3. The Subdivision Authority may delegate all the powers, duties, and functions of the Subdivision Authority to the Subdivision Approving Authority Officer as established by this Bylaw.

5. SEVERABILITY

- 5.1 Should any provision of this Bylaw become invalid, void, illegal or otherwise unenforceable, it shall be considered separate and severable from the Bylaw and

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the remainder shall remain in force and be binding as though such provision had not been invalid.

6.0. ENACTMENT


This Bylaw shall come into force and effect when it receives Third Reading and is duly signed thereof.

Bylaw TBE 1-08 and all subsequent amendments are now repealed.

Read a first time this 13th of April 2022.

Read a second time this 13th of April 2022.

Read a third and final time this 13th of April 2022.



Mayor



Chief Administrative Officer

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