

# **VILLAGE OF BEISEKER BYLAW NUMBER 2025-02**

BEING A BYLAW TO ESTABLISH A SUBDIVISION AUTHORITY FOR THE VILLAGE OF  
BEISEKER IN THE PROVINCE OF ALBERTA.

**WHEREAS** the Municipal Government Act R.S.A. 2000, Chapter M-26 requires a municipality to establish a subdivision authority to exercise subdivision powers and duties by bylaw and allows delegation of those subdivision powers and duties on behalf of the municipality;

**AND WHEREAS** the Village of Beiseker may delegate any of its subdivision authority powers, duties or functions to an Intermunicipal Service Agency;

**AND WHEREAS** the Village of Beiseker may obtain planning and subdivision related services from an Intermunicipal Service Agency as agreed to by contract from time to time;

**NOW THEREFORE** the Council of the Village of Beiseker in the Province of Alberta, duly assembled, hereby enacts as follows:

## **1. SHORT TITLE**

1.1. This Bylaw is called the "Subdivision Authority Bylaw".

## **2. DEFINITIONS**

2.1. In this bylaw:

- a) "Act" means the Municipal Government Act R.S.A. 2000, Chapter M-26, as amended from time to time;
- b) "CAO" means the Chief Administrative Office of the Village of Beiseker or his/her delegate
- c) "Council" means the duly elected Council of the Village of Beiseker;
- d) "Intermunicipal Service Agency" means a service agency as defined under section 616(j) of the Act.
- e) "Regulation" means the Matters Related to Subdivision and Development Regulation A.R. 216/2022 as amended from time to time;

## **3. ESTABLISHMENT**

- 3.1. The Subdivision Authority of the Village of Beiseker is hereby established as the Council of the Village.
- 3.2. The Subdivision Authority has those powers and duties as set out in the Act, and any regulation thereunder.
- 3.3. The Subdivision Authority shall decide upon all applications for subdivision.

#### 4. DELEGATION

4.1. In accordance with Section 625 of the Act, the Council delegates to the CAO the following duties and functions of the Subdivision Authority:

- a) Providing advice to applicants for subdivision approval;
- b) The preparation and management of any development agreements required as a condition of subdivision approval;
- c) Acting as the signing authority for all documents required to be sent to the Land Titles Office for the endorsement of the subdivision;
- d) Prior to endorsement of a plan of subdivision, the CAO may accept minor modifications to the approved tentative plan of subdivision provided:
  - I. no more than one additional lot is created or one lot is removed;
  - II. the area of municipal or environmental reserve does not change;
  - III. roadway and infrastructure standards of the Village of Beiseker are not compromised; and
  - IV. such adjustments comply with municipal bylaws and adopted plans, with the exception that minor variances to the Land Use Bylaw may be accommodated as provided for in section 654(2) in the Act.

4.2. In accordance with Section 625 of the Act, the Council delegates to the Intermunicipal Service Agency the following duties and functions of the Subdivision Authority:

- a) Providing advice to applicants for subdivision approval;
- b) Receipt of the application for subdivision approval, including setting the fees and the receipt of any monies required to initiate the application process;
- c) Processing the application for subdivision in accordance with the requirements of the Act, the Regulation and the Land Use Bylaw, including but not limited to:
  - i. Initial review of the application to determine completeness, and issuing acknowledgements of complete or incomplete applications;
  - ii. Entering into time extension agreements for the determination of a complete application and for the Subdivision Authority to make a decision on the application;
  - iii. Circulation of the application as required by the Regulation and the Village of Beiseker Land Use Bylaw;
  - iv. Circulation of the application to the CAO for their review, comments, and further distribution to relevant municipal departments;
  - v. Preparing reports and recommendations for consideration by the Subdivision Authority;

- vi. Issuing the decision of the Subdivision Authority to the applicant and to the Government departments, persons and local authorities to which the Subdivision Authority is required by the Regulations to give a copy of the decision;
- vii. Monitoring and ensuring the subdivision conditions of approval are met to the satisfaction of the Subdivision Authority in consultation with the CAO;
- viii. Receiving submissions for endorsement, including the receipt of any fees required for endorsement of the plan of subdivision or other instrument that effects the subdivision within the dates outlined in Section 657(1) of the Act;
- ix. Preparing documents required to be sent to Land Titles for endorsement, for signature by the CAO;
- x. Preparing reports to the Village of Beiseker Council for a request by an applicant to extend the time for endorsement of plans of subdivision and/or for registration of plans of subdivision; and
- xi. Making and keeping a record of all applications for subdivision approval received, and the decisions made thereon by the Subdivision Authority.

**5. REPEAL AND EFFECTIVE DATE**

- 5.1. Bylaw # 2019-11 of the Village of Beiseker and any amendments thereto, are hereby repealed.
- 5.2. This Bylaw takes effect on January 13, 2025

READ A FIRST TIME THIS 13<sup>th</sup> Day of January, 2025

READ A SECOND TIME THIS 13<sup>th</sup> Day of January, 2025

READ A THIRD TIME AND PASSED THIS 13<sup>th</sup> day of January, 20250

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David Ledoyen  
MAYOR

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Heather Leslie  
CHIEF ADMINISTRATIVE OFFICER