

BYLAW NO. 10/2019

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF PEACE NO. 135 IN THE PROVINCE OF ALBERTA

TO AMEND THE MUNICIPAL DISTRICT OF PEACE LAND USE BYLAW NO. 1/2012

WHEREAS, the Council of Municipal District of Peace No.135, in the Province of Alberta, has adopted the Municipal District of Peace No. 135 Land Use Bylaw No. 1/2012 to regulate land use and development within the municipality; and

WHEREAS, pursuant to the *Municipal Government Act*, Revised Statutes of Alberta 2000 Chapter M-26, the Council of a municipality may amend a Land Use Bylaw; and

WHEREAS, the Council of Municipal District of Peace No.135, in the Province of Alberta, deems it necessary to amend the Municipal District of Peace Land Use Bylaw No. 1/2012; and

WHEREAS, the said amendment will update the Land Use Bylaw to comply with changes in the *Municipal Government Act* and the establishment of a new Subdivision and Development Appeal Board;

NOW THEREFORE, Pursuant to Sections 230, 606 and 692 of the Province of Alberta *Municipal Government Act*, the Council of Municipal District of Peace No.135, duly assembled, hereby enacts as follows:

1. **Remove the definition for “Development Appeal Board” in Section 1.4 DEFINITIONS.**
2. **Remove the definition for “Subdivision Appeal Board in Section 1.4 DEFINITIONS.**
3. **Add the following definition for “Subdivision and Development Appeal Board” to Section 1.4 DEFINITIONS:**

“SUBDIVISION AND DEVELOPMENT APPEAL BOARD” means an Appeal Board established pursuant to the *Act*.
4. **Replace Section 2.3 DEVELOPMENT APPEAL BOARD with the following:**

2.3 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

 - (1) The Subdivision and Development Appeal Board is established by separate bylaw in accordance with Section 627 of the *Municipal Government Act*.
 - (2) The Subdivision and Development Appeal Board shall perform such duties as are specified in the *Act*.
5. **Replace subsection (10) under Section 3.3 PERMISSION FOR DEVELOPMENT with the following:**

(10) In the case where an application for a Development Permit has been refused pursuant to this Bylaw, by the Subdivision and Development Appeal Board or the Alberta Court of Appeal, the submission of another application for a Development Permit on the same property and for the same or similar use of the land by the same or any other applicant may not be accepted by the Development Officer for at least one year after the date of the previous refusal, unless the application was refused or deemed refused for being incomplete.
6. **Replace Section 3.4 APPEAL PROCEDURE with the following:**
 - (1) An appeal to the Subdivision and Development Appeal Board shall be made in accordance with the Act by serving written notice of appeal to the Chief Administrative Officer.

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- (2) An appeal made to the Subdivision and Development Appeal Board shall be accompanied by a processing fee, the amount of which shall be set from time-to-time by resolution of Council.

7. Remove section 3.4.1 PUBLIC HEARING

8. Remove section 3.4.2 HEARING AND DECISION

9. Replace subsection (1) under Section 3.8 DEVELOPMENT PERMITS AND NOTICES as follows:

- (1) A Development Permit does not come into effect until twenty-four (24) days after a notice of its issuance appears in a local newspaper.

Please Note: Starting development prior to the expiration of the appeal period is at the applicant's own risk, as an appeal could be lodged against the development.

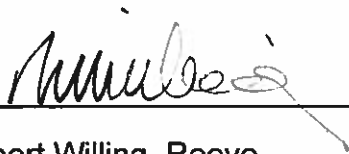
Severability

10. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw is deemed valid.

Enactment

11. This Bylaw shall come into full force and effect upon the date of its final passing thereof.

Received first reading given on the 19th day of November, 2019.



Robert Willing, Reeve



Barbara Johnson, Chief Administrative Officer

A public hearing was held on the 14th day of January, 2020.

Second reading given on the 14th day of January, 2020.




Robert Willing, Reeve



Barbara Johnson, Chief Administrative Officer

Third Reading given on the 14th day of January, 2020.



Robert Willing, Reeve



Barbara Johnson, Chief Administrative Officer