BY-LAW #453

Administration of Subdivision and Development Approvals and Appeals

This Bylaw shall be known as the "Subdivision and Development Appeal Board Bylaw."

Pursuant to the Municipal Government Act ("the Act"), the Council of the Municipality of the Town of Sedgewick hereby enacts as follows:

1) Establishment of a Subdivision Authority

Pursuant to section 623(2)(a) of the Municipal Government Act, Council of the Town of Sedgewick is hereby authorized to exercise subdivision powers and duties on behalf of the Town of Sedgewick. Administration of the subdivision process is hereby delegated to West Central Planning Agency on the basis of a contract between the Agency and the Town.

2) Establishment of a Development Authority

Pursuant to section 624 of the Act, the authority to exercise development powers and duties under the Land Use Bylaw (326) is vested in the Development Officer appointed under Section 3 of the Land Use Bylaw (326)

3) Establishment of a Subdivision and Development Appeal Board

Pursuant to Section 627 of the Act, the Subdivision and Development Appeal Board (the Board) is established.

4) Purpose of the Board

The purpose of the board is:

(a) To hear appeals against decision of the subdivision authority that do not fall under the criteria of Section 678(2)(a) of the Act, and

(b) To hear and decide upon appeals from decision of the Development Officer in respect to development permits and stop orders, and in this respect perform the duties assigned to the Development Appeal Board under the Land Use By-law 326.

5) Composition of the Board

(a) The Board shall consist of

(i) One member of Council and;
(ii) Two members of the general public
(iii) One member of the general public to serve as an alternate in the absence of one of the appointed members of the general public.

And shall be appointed by resolution of Council at the annual organizational meeting

b) A vacancy on the Board may be filled by resolution of Council at any time.

6) Method of Decision Making of the Board

The Board shall reserve the right to discuss matters presented at the appeal and make a decision in committee within 15 days of the completion of the hearing.

7) Filing and Processing of Appeals

The procedure for filing and processing appeals is set out in Section 678 to 687 of the Act.

8) Establishment of Fee Schedules

Council may, by resolution, establish fees for subdivision and development appeals, which shall be sufficient to cover the cost of advertising, administration, and other expenses.

9) Remuneration of Board Members

Council may, by resolution, establish the remuneration to be paid to the Board members hearing an appeal.

10) Severability Provision

Should any provision of this bylaw be invalid, then such provision shall be severed and the remaining bylaw shall be maintained.

11) Repeal

The Town of Sedgewick Bylaw 381/95 is hereby repealed.

12) Effective Date

This Bylaw comes into effect on the final date of passing thereof.

READ a FIRST time this 17th day of January, 2008

READ a SECOND time this 17th day of January, 2008

READ a THIRD time by unanimous consent and finally passed this 17th day of January, 2008

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MAYOR HELEN M. WHITTEN

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THELMA ROGERS, C.A.O.