

PROPOSED

IP2024-1262
ATTACHMENT 3

BYLAW NUMBER 7P2025

**BEING A BYLAW OF THE CITY OF CALGARY
TO PROVIDE FOR DEVELOPMENT AUTHORITIES
AND SUBDIVISION AUTHORITIES
(IP2024-1262)**

WHEREAS Section 623 of the *Municipal Government Act* requires a Council to provide for a subdivision authority and a development authority to exercise subdivision and development powers and duties on behalf of the municipality;

AND WHEREAS Sub-Section 8(1)(c) of the *Municipal Government Act* R.S.A. 2000 cM-26, as amended, authorizes a Council to establish fees for licences, permits and approvals including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the “The Development Authority and Subdivision Authority Appointment Bylaw”.

DEFINITIONS

2. (1) In this Bylaw:
 - (a) “*Applicant*” means a person or entity to which a fee applies in accordance with the fees approved pursuant to this Bylaw.
 - (b) “*Calgary Planning Commission*” means the municipal planning commission for The City of Calgary established pursuant to Bylaw 6P2025, the Calgary Planning Commission Bylaw, as amended or substituted from time to time.
 - (c) “*City*” means the corporation of The City of Calgary.
 - (d) “*Chief Administrative Officer*” means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw.
 - (e) “*Development Authority*” means a person or body appointed as a development authority as contemplated by and in accordance with the *Municipal Government Act*.
 - (f) “*Outline Plan*” means a conceptual scheme that relates a subdivision application to future subdivision and development of areas adjacent to a subdivision application to be submitted to a subdivision authority.

PROPOSED

BYLAW NUMBER 7P2025

- (g) “*Subdivision Authority*” means a body to exercise subdivision powers and duties on behalf of the municipality and which may include a designated officer, the Calgary Planning Commission or any other person or organization.
- (h) “*Tentative Plan*” means a plan of subdivision proposed in accordance with sections 652 to 660 inclusive of the *Municipal Government Act*.

COMPOSITION

- 3. (1) The following are each appointed as a *development authority* to exercise development powers and duties on behalf of the *City* pursuant to section 623(b) of the *Municipal Government Act*.
 - (a) the *Calgary Planning Commission*; and
 - (b) those employees of the *City* so appointed by the *Chief Administrative Officer*.
- (2) The appointment of a person as a *development authority* pursuant to Section 3(1)(b) shall continue for so long as such person remains an employee of the *City*, or until such time as the appointment is revoked by the *Chief Administrative Officer*.
- 4. (1) The following are each appointed as a *subdivision authority* to exercise subdivision powers and duties on behalf of the *City* pursuant to section 623(a) of the *Municipal Government Act*.
 - (a) the *Calgary Planning Commission*; and
 - (b) those employees of the *City* so appointed by the *Chief Administrative Officer*.
- (2) The appointment of a person as a *subdivision authority* pursuant to Section 4(1)(b) shall continue for so long as such person remains an employee of the *City*, or until such time as the appointment is revoked by the *Chief Administrative Officer*.

POWERS AND DUTIES

- 5. (1) The powers and duties of a *development authority* shall be exercised in accordance with The City of Calgary Land Use Bylaw 1P2007, as amended or replaced from time to time.
- (2) A person appointed as a *subdivision authority* pursuant to Section 4(1)(b) has the power to make decisions on the following matters:
 - (a) review and approval of *tentative plans* which conform in all respects, or conform with variances which are in the opinion of the decision maker of a minor nature, with an *outline plan* approved by *Calgary Planning Commission*;

PROPOSED

BYLAW NUMBER 7P2025

- (b) refusal of any subdivision matter which could not be approved by the *Calgary Planning Commission*;
 - (c) review and approval of subdivisions by instrument;
 - (d) subdivision applications which comply in all respects to the applicable enactments.
- (3) *Calgary Planning Commission* as a *subdivision authority* pursuant to Section 4(1)(a) has the power to make decisions on the following matters:
- (a) review and approval of non-conforming *tentative plans* referred to it.
- (4) The powers to grant extensions under section 657(6) of the *Municipal Government Act* are hereby delegated to the *Chief Administrative Officer* who may further delegate any such power.

ADMINISTRATION

6. (1) An *applicant*, at the time of making a subdivision application, shall pay to the *City* the applicable fee.
- (2) The fees payable in respect of subdivision matters shall be those fees approved by resolution of *Council*.
- (3) The fees last in force prior to the passing of any resolution pursuant to subsection (2) shall continue in force until the first resolution is passed pursuant to subsection (2).

PROPOSED

BYLAW NUMBER 7P2025

COMING INTO FORCE

7. Bylaw Number 10P99, as amended, is hereby repealed.

8. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON _____

READ A SECOND TIME ON _____

READ A THIRD TIME ON _____

MAYOR

SIGNED ON _____

CITY CLERK

SIGNED ON _____