

## BYLAW # 3223

### Municipal Planning Commission Bylaw

**A bylaw of the County of Grande Prairie No. 1 in the Province of Alberta for the purpose of establishing a Municipal Planning Commission.**

**WHEREAS:** pursuant to the Municipal Government Act, RSA 2000, c. M-26 and amendments thereto, Section 623, a Council must by bylaw establish a Subdivision Authority and Development Authority to exercise subdivision powers and duties on behalf of the municipality; and

**WHEREAS:** pursuant to the Municipal Government Act, RSA 2000, c. M-26 and amendments thereto, Section 625, a Council may, by bylaw, establish a Municipal Planning Commission; and

**NOW THEREFORE,** under the authority of the Municipal Government Act, the Council of the County of Grande Prairie No. 1, in the Province of Alberta, hereby enacts as follows:

#### **INTERPRETATION**

1. This Bylaw shall be cited as "Municipal Planning Commission Bylaw".
2. Headings in this Bylaw are for reference purposes only.
3. Words in the masculine gender will include the feminine gender whenever the context so requires and vice versa.
4. Words in the singular shall include the plural or vice versa whenever the context so requires.

#### **DEFINITIONS**

5. In this Bylaw:

- 5.1 "Act" means the *Municipal Government Act* RSA. 2000, C.M-26 and amendments thereto.
- 5.2 "Chair" means the person appointed as Chair of the Municipal Planning Commission.
- 5.3 "Commission" means the Municipal Planning Commission of the County of Grande Prairie No. 1, established pursuant to this bylaw.
- 5.4 "Council" means the duly elected Council members of the County of Grande Prairie No. 1.

- 5.5 "County" means the municipality of the County of Grande Prairie No. 1 having jurisdiction under the Municipal Government Act and other applicable legislation.
- 5.6 "Designated Officer" means the person appointed by Council to act as the subdivisions and/or development officer pursuant to the Municipal Government Act.
- 5.7 "Land Use Bylaw" means the Land Use Bylaw of the County of Grande Prairie No. 1, as amended from time to time.
- 5.8 "Secretary" means the person appointed by Council to act as Secretary of the Municipal Planning Commission.
- 5.9 "Vice-Chair" means the person appointed as Vice-Chair of the Municipal Planning Commission.
- 5.10 All other terms used in this Bylaw shall have the meaning assigned to them by the Municipal Government Act, to the extent that said meaning differs from the ordinary meaning of such terms.

### **NUMBER OF MEMBERS**

- 6. The Commission shall be comprised of not less than three (3) persons.

### **MANNER OF APPOINTMENT**

- 7. Members of the Commission shall be appointed by Council.

### **TERM OF OFFICE**

- 8. The term of office of the Chair and Vice-Chair shall be one (1) year.
- 9. Appointments to the Commission shall be for the term of one (1) year.
- 10. A member of the Commission may be reappointed upon the expiry of their term.

### **ELIGIBILITY**

- 11. No person who is a Development Officer, Subdivision Officer, or member of an appeal board shall be appointed to or act as a member of the Commission.
- 12. Where a member of Council is appointed as a member of the Commission, his appointment to the Commission terminates upon his ceasing to be a member of the Council.



13. A person who is a member of the Commission who ceases to be a member of Council and who is otherwise eligible to be appointed to the Commission may be reappointed as a member of the Commission upon his appointment terminating pursuant to section 12.

### **TENURE**

14. Each of the members of the Commission holds office during good behaviour and may be removed from the office by Council at any time during the term referred to above by motion.

### **RENUMERATION AND EXPENSE REIMBURSEMENT**

15. The members of the Commission shall be entitled to such remuneration and expense reimbursement as may be fixed from time to time by Council and shall be paid by the County of Grande Prairie No. 1.

### **QUORUM**

16. Three (3) of the members of the Commission constitute a quorum.

### **ABSENT COMMISSION MEMBERS**

17. Where a meeting is held by the Commission and a member or members of the Commission is or are for any reason unable to attend on any day or date, the other members who are at the meeting have the power to continue the meeting as fully and effectively as if the members unable to attend were present and have and may exercise and perform the powers and duties of the Commission, provided that a quorum is at all times satisfied.
18. Notwithstanding a vacancy in the membership of the Commission, the remaining members thereof, if at least three (3) remain, have and may exercise and perform the powers and duties of the Commission.

### **CHAIR**

19. The members of the Commission shall elect one (1) of themselves as Chair and one (1) of themselves as Vice-Chair. The Vice-Chair may preside at meetings of the Commission in the absence of the Chair.
20. In the event of the absence or inability to act as the Chair at a meeting of the Commission, a Vice-Chair shall act as Chair and if no Vice-Chair is designated or in the event of the absence or inability to act as the Vice-Chair, the members of the Commission present at the meeting shall elect a member to act as Chair at the meeting.
21. In the event the Chair participates in the meeting virtually, the Vice-Chair shall preside as Chair. If both the Chair and Vice-Chair are participating virtually, a Chair shall be selected from among the members present.

## **VACANCIES**

22. Where a member of the Commission ceases to be a member before the expiration of his term, Council shall appoint another eligible person for the unexpired portion of the term of the retiring member.

## **SECRETARY**

23. Council shall appoint a Secretary who must be an employee of the County and the Secretary shall attend all meetings and hearings of the Commission but shall not vote on any matters before the Commission.
24. If unable to attend in-person, the Secretary shall appoint a designate to attend a meeting or hearing and fulfill the role of Secretary.

## **SIGNING AUTHORITY**

25. An order, decision, approval, notice, or other thing made, given, or issued by the Commission or designated officer may be signed on its behalf by the Secretary of the Commission, and or the Designated Officer.

## **POWER OF THE COMMISSION**

26. The Commission or Designated Officer shall perform such functions as conferred upon it by Council, and which are authorized by the Municipal Government Act, Sections 623 and 625.
27. In particular, and without prejudice to the generality of the foregoing, the Commission shall:
- 27.1 Make decisions with respect to applications for a development permit in those classes of applications specified in any Land Use Bylaw; and
  - 27.2 Make decisions with respect to all subdivision applications specified in the Subdivision Authority Bylaw.
28. Notwithstanding section 27.2, the Commission may refer any application for development or subdivision to Council for decision.

## **PUBLIC MEETINGS**

29. The meetings of the Commission shall be held in public when the Commission is meeting to consider applications for a development permit and or subdivision applications.

## **FUNCTIONS OF THE SECRETARY**

30. The Secretary of the Commission shall:



- 30.1 Perform such functions as may be necessary to ensure that the Commission is in full compliance with its duties under the Municipal Government Act and this Bylaw.
  - 30.2 Attend all meetings of the Commission and keep records in accordance with the Records and Information Management Bylaw, including the following:
    - a. the minutes of all meetings and hearings;
    - b. all applications;
    - c. records of all notices of hearings and of persons to whom they were sent;
    - d. copies of all written representations to the Commission;
    - e. notes as to each representation;
    - f. the names and addresses of those making representations at the meeting;
    - g. the decisions of the Commission;
    - h. the reasons for the decision of the Commission;
    - i. the vote of the members of the Commission on the decision;
    - j. the records of all notices of decision and of persons to whom they were sent;
    - k. all notices, decisions and orders made on appeal from decisions of the Commission; and
    - l. such other matters as the Commission may direct or the Secretary may determine.
  - 30.3 Notify all Members of the Commission of the meetings of the Commission; and
  - 30.4 Notify the Council of the decisions of the Commission.
31. The Secretary of the Commission may delegate functions to another employee of the County.

## **MEETINGS**

32. The Commission shall hold regular meetings as often as it deems necessary and may also hold special meetings at any time at the call of the Chair.

## **DECISIONS**

33. Only those Members present at a meeting of the Commission shall vote on any matter before it.
34. The decision of the majority of the Members present at a meeting duly convened shall be deemed the decision of the whole Commission. If there are an equal number of votes for and against a motion, the motion is defeated.



### **DISQUALIFICATION**

35. A member of the Commission who is for any reason unable to attend the whole or part of any meeting, with respect to an application for a subdivision and or development permit, shall not participate in the deliberations or decision made by the Commission upon that application.

### **SEVERABILITY**

36. Every provision of this bylaw is independent of all other provisions and if any provision is declared invalid by a Court, then the invalid provisions shall be severed and the remaining provisions shall remain valid and enforceable.

### **REPEAL**

37. Bylaw #2204 and all amendments thereto are hereby rescinded.

### **EFFECTIVE DATE**

38. This Bylaw shall come into force and effect on the third and final reading thereof.

Read a FIRST time this 26<sup>th</sup> day of February, 2024.

Read a SECOND time this 26<sup>th</sup> day of February, 2024.

Read a THIRD time and finally passed this 26<sup>th</sup> day of February, 2024.

  
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Robert G. Marshall  
Reeve

  
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Julia Whittleton  
County Manager

February 16, 2024

**TO WHOM IT MAY CONCERN:**

I hereby appoint **Ryan Konowalyk** as Acting Administrator for the County of Grande Prairie No. 1 in my absence from February 16 – March 4, 2024.

16<sup>th</sup> day of February 2024.



Joulia Whittleton, CLGM  
County Manager