

# BYLAW 010:2023

## A Bylaw of the Town of Irricana, in the Province of Alberta, for the purpose of establishing a Municipal Planning Commission.

**WHEREAS** Section 623(a) of the Municipal Government Act, RSA 2000, c M-26, and amendments thereto requires Council to, by Bylaw, establish a Subdivision Authority to exercise subdivision powers and duties on behalf of the municipality;

**AND WHEREAS** Section 623(b) of the Municipal Government Act, RSA 2000, c M-26, and amendments thereto requires Council to, by Bylaw, establish a Development Authority to exercise development powers on behalf of the municipality;

**AND WHEREAS** Section 625(1) of the Municipal Government Act, RSA 2000, c M-26, and amendments thereto, allows a municipality to, by Bylaw, establish a Municipal Planning Commission;

**AND THEREFORE** the Municipal Council of the Town of Irricana, duly assembled in Council, enacts as follows:

### Title

1. This Bylaw may be cited as the "*Municipal Planning Commission Bylaw*".

### Definitions

2. In this Bylaw, the following definitions apply:
  - a. "**Administration**" means an employee or employees of the Town of Irricana under the direction of the Chief Administrative Officer.
  - b. "**Chief Administrative Officer**" means the Chief Administrative Officer duly appointed by Council as the Administrative Head of the Municipality, pursuant to Section 205 of the Municipal Government Act. May also be referred to as "CAO".
  - c. "**Council**" means the Municipal Council of the Town of Irricana.
  - d. "**Councillor**" means a duly elected Councillor of the Town of Irricana;
  - e. "**Development Authority**" means a Development Authority as defined and contemplated in the Municipal Government Act;
  - f. "**Member**" shall mean a person appointed to the Municipal Planning Commission and includes either a Councillor or Member at Large.

- g. **“Member at Large”** means a person appointed to the Municipal Planning Commission who is a member of the public who is not a Councillor.
- h. **“Municipal Government Act”** means the Municipal Government Act, RSA 2000, c M-26, as amended or replaced from time to time. May also be referred to as “MGA”.
- i. **“Procedural Bylaw”** means the Council Procedural Bylaw (Bylaw 008:2022) for the Procedure Bylaw for the Town of Irriana, as amended or replaced from time to time;
- j. **“Subdivision Authority”** means a Subdivision Authority as defined and contemplated in the Municipal Government Act;
- k. **“Town”** means the Town of Irriana.

### **Purpose of the Municipal Planning Commission**

- 3. The Municipal Planning Commission:
  - a. Is the Development Authority for any development application referred to the Municipal Planning Commission under an applicable Bylaw, Policy, or Procedure of the Town of Irriana or by the Chief Administrative Officer; and
  - b. Is the Subdivision Authority for any subdivision application referred to the Municipal Planning Commission under an applicable Bylaw, Policy, or Procedure of the Town of Irriana or by the Chief Administrative Officer.

### **Terms of Reference**

- 4. When acting as the Development Authority, the Municipal Planning Commission exercises the requisite development powers and duties under the Municipal Government Act and its applicable regulations. Permitted uses where there is no proposed variance will be administered by Administration wherever possible.
- 5. When acting as the Subdivision Authority, the Municipal Planning Commission exercises the requisite subdivision powers and duties under the Municipal Government Act and its applicable regulations.
- 6. Whereby a procedure, limitation, or entitlement is not specifically prescribed in this Bylaw, the Council Procedural Bylaw shall govern, followed by the Municipal Government Act.

## **Membership and Quorum**

7. The Municipal Planning Commission shall consist of an odd number of Members and no fewer than three (3) Members, of which ~~a majority~~ must be Councillors for the Town of Irricana. **at least two (Motion 142:23)**
8. The Municipal Planning Commission may consist of Councillors and/or Members at Large, as determined by Council.
9. Members of the Municipal Planning Commission are appointed by resolution of Council and serve at the pleasure of Council.
  - a. Councillors are appointed for a (up to) two-year term at the annual Organizational Meeting; AND
  - b. Members at Large are appointed for a (up to) three-year term.
10. Quorum shall be reached through a majority of Members.

## **Remuneration**

11. Members are remunerated in accordance with applicable Town of Irricana policies and procedures.

## **Chair and Vice Chair**

12. Council shall appoint a Chair at the annual Organizational Meeting for a one-year term.
13. The Municipal Planning Commission shall appoint a Vice Chair at its first meeting following the annual Organizational Meeting for a one-year term.
14. The Chair presides over all Municipal Planning Commission meetings while in attendance and has all the requisite powers of a Chair under the Procedural Bylaw.
15. The Vice Chair performs the duties of the Chair when the Chair is unable to perform those duties.

## **Meetings**

16. Municipal Planning Commission meetings are to be held at least once every three months on dates determined by the Commission.
17. Additional meetings may be called, either by the Chair or by a majority of Members, on dates and times determined by the Municipal Planning Commission as required to fulfill its duties.

18. Municipal Planning Commission meetings are advertised in accordance with the Municipal Government Act and any applicable Town of Irricana Bylaw, Policy, or procedure.
19. Applications to be considered at Municipal Planning Commission meetings are circulated in accordance with the Municipal Government Act and its applicable regulations and applicable Town of Irricana Bylaw, Policy, or procedure.
20. The Chief Administrative Officer is responsible for:
  - a. Preparing agendas and minutes for each Municipal Planning Commission meeting;
  - b. Providing notice of each Municipal Planning Commission meeting and each application to be considered at a Municipal Planning Commission meeting;
  - c. Preparing and issuing notices of decision on behalf of the Municipal Planning Commission; and
  - d. Signing decisions and instruments required for endorsements, easements, caveats, development permits, and other documents that are required for development and subdivision.

### **Meetings Procedures**

21. Municipal Planning Commission meetings are conducted in accordance with the Procedural Bylaw.
22. Decisions of the Municipal Planning Commission are determined by simple majority vote.

### **Severability**

23. If any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of the Bylaw will remain valid and enforceable.

### **Effective Date**

24. *Bylaw 010:2023*, being the *Municipal Planning Commission Bylaw*, is passed when it receives third reading and is signed pursuant to the *Municipal Government Act*.

READ A FIRST TIME this 18 day of September 2023.

READ A SECOND TIME this 18 day of September 2023.

UNANIMOUS CONSENT for THIRD READING given this 18 day of September 2023.

READ A THIRD TIME this 18 day of September 2023.

\*Original Signed\* \_\_\_\_\_  
Jim Bryson  
Mayor

\*Original Signed\* \_\_\_\_\_  
Doug Hafichuk  
Chief Administrative Officer