

BYLAW 133-21

A BYLAW OF THE SUMMER VILLAGE OF WHISPERING HILLS IN THE PROVINCE OF ALBERTA, TO ESTABLISH A SUBDIVISION AUTHORITY

WHEREAS, pursuant to the provisions of section 623 of the *Municipal Government Act RSA 2000 Chapter M-26*, requires each Municipality to provide for a Subdivision Authority with the power to carry out the powers, duties, and functions on behalf of the municipality;

NOW THEREFORE, the Council of the Summer Village of Whispering Hills in the Province of Alberta, duly assembled, enacts as follows:

1. BYLAW TITLE

This Bylaw may be cited as "**The Subdivision Authority Bylaw**".

2. DEFINITIONS

For the purpose of this Bylaw, unless the context otherwise requires:

- 2.1** "Act" means the *Municipal Government Act, R.S.A., 2000, c. M-26* and amendments thereto;
- 2.2** "Council" means the Municipal Council for the Summer Village and the Chief Elected Official;
- 2.3** "CAO" means the Chief Administrative Officer of the Summer Village or his/her designate;
- 2.4** "Summer Village" means the Summer Village of WHISPERING HILLS or its duly authorized representatives;

3. AUTHORITY

- 3.1** That the position of Subdivision Authority as defined in section 616 of the *Municipal Government Act 2000 Chapter M-26* be established to carry out the duties and responsibilities of Subdivision Authority as set out in the *Municipal Government Act 2000 Chapter M-26* section 623;
- 3.2** That as the development authority shall be carried out in accordance to the Summer Village of Whispering Hills Land Use Bylaw, as amended from time to time;
- 3.3** THAT the administration of the subdivision approval process be delegated to Jane Dauphinee of Municipal Planning Services, by Council, except the decision to grant approval, with or without conditions, or refuse subdivision approval, be retained by the Summer Village of Whispering Hills;
- 3.4** THAT the Subdivision Approving Authority is delegated to the Council of the Summer Village of Whispering Hills;

- 3.5** **THAT** Municipal Planning Services be entitled to receive subdivision applications and endorsement fees, paid by the applicant for subdivision approval at the rates established by Council;
- 3.6** **THAT** Jane Dauphinee of Municipal Planning Services be authorized to endorse plans of subdivision, separation documents, descriptive plans, transfer of land and any other documents required to register an approved subdivision at the Land Titles office, on behalf of the Summer Village of Whispering hills and the Registrar of Land Titles be authorized to accept the endorsement as if it were that of the Summer Village of South View;

4. SEVERABILITY

If any section or sections of this Bylaw or parts thereof are found in any court or law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other Sections or parts of the Bylaw shall be deemed separate and independent therefrom and to be enacted as such.

5. RESCINDING

This bylaw rescinds bylaw #55-95

6. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 24th day of August 2021.

READ a second time this 24th day of August 2021.

UNANIMOUS CONSENT to proceed to third reading 24th day of August 2021.

READ a third and final time this 24th day of August 2021.

Mayor,

SIGNED this 24th day of August 2021.

C.A.O.,