

**MPC MEETING**

**WEDNESDAY OCTOBER 21, 2015**

**12:30 P.M.**

**MUNICIPAL PLANNING COMMISSION  
WEDNESDAY AUGUST 19, 2015 – 12:30 PM  
TOWN OF REDCLIFF**

**AGENDA**

| <b><u>Pg.</u></b> | <b><u>AGENDA ITEM</u></b>   |
|-------------------|---|
| <b>1.</b>         | <b>CALL TO ORDER</b>  |
| <b>2.</b>         | <b>ADOPTION OF AGENDA</b>   |
| <b>3.</b>         | <b>PREVIOUS MINUTES</b><br><br>A) Minutes of August 19, 2015 meeting  |
| <b>4.</b>         | <b>LIST OF DEVELOPMENT PERMITS ADVERTISED</b><br>A) September 1, 2015, September 8, 2015, September 15, 2015, and September 29, 2015  |
| <b>5.</b>         | <b>DEVELOPMENT PERMIT APPLICATION CONSIDERED BY DEVELOPMENT AUTHORITY</b><br><br>A) Development Permit Application 15-DP-056<br>Robin's Nest<br>Lot 12, Block 5, Plan 7911064 (1811 Broadway Avenue E)<br>Approved: Tent Structure<br><br>B) Development Permit Application 15-DP-067<br>Kim Donais<br>Lot 21-23, Block 2, Plan 3042AB (502 5 Street SE)<br>Approved – Addition to Detached Garage<br><br>C) Development Permit Application 15-DP-069<br>Henry Leibel<br>Lot 3-4, Block 49, Plan 1117V (119 6 Street SE)<br>Denied: Accessory Building – Detached Garage<br><br>D) Development Permit Application 15-DP-070<br>Franz Klassen<br>Lot 33, Block 139, Plan 9811474 (417 Main Street N)<br>Approved: Accessory Building – Detached Garage<br><br>E) Development Permit Application 15-DP-071<br>Troy Munson<br>Lot 21-23, Block 47, Plan 1117V (202 6 Street SE)<br>Approved: Hot Tub<br><br>F) Development Permit Application 15-DP-072<br>Encore Developments<br>Lot 1,2 & 35-39, Block 84, Plan 755AD (317 Broadway Avenue E)<br>Denied: Addition to Commercial Building |

- G)** Development Permit Application 15-DP-073  
Deanne Sweeny  
Lot 5-6, Block 3, Plan 1117V (829 Main Street S)  
Approved: Accessory Building – Detached Garage
- H)** Development Permit Application 15-DP-074  
Matt Stroh  
Lot 97, Block 1, Plan 0213235 (19 Riverview Green SE)  
Approved: Hot Tub
- I)** Development Permit Application 15-DP-075  
Vern Stepple  
Lot 35, Block 139, Plan 9811474 (409 Main Street N)  
Approved: Portable Garage
- J)** Development Permit Application 15-DP-076  
Stopcon Contracting  
Lot 1, Block 1, Plan 7911064 (102 Pembina Drive NE)  
Approved: Change of Use – Warehouse
- K)** Development Permit Application 15-DP-078  
XRoad Homes Inc.  
Lot 19, Block 10, Plan 0913590 (943 Maskell Place SE)  
Approved: Single Family Dwelling

**6. FOR INFORMATION / COMMENT**

- A)** Response to MPC's comments regarding the Eastside ASP
- B)** Memo from Manager of Land & Legislative Services regarding proposed changes to authority / composition to the Municipal Planning Commission

**7. FOR DISCUSSION**

- A)** Checklist for Change of Use – Draft copy

**8. ADJOURNMENT**



## TOWN OF REDCLIFF DEVELOPMENT PERMITS

### NOTICE OF DECISION OF DEVELOPMENT OFFICER

#### Discretionary Uses:

#### Development

| Permit Application# | Details  |
|---------------------|--|
| 15-DP-070           | Lot 33, Block 139, Plan 9811474 (417 Main Street S.)<br><b>APPROVED:</b> Detached Garage |
| 15-DP-071           | Lot 21-23, Block 47, Plan 1117V (202 6 Street SE)<br><b>APPROVED:</b> Hot Tub            |
| 15-DP-073           | Lot 5-6, Block 3, Plan 1117V (829 Main Street S)<br><b>APPROVED:</b> Detached Garage     |

A Development Permit for a Discretionary Use does not take effect until fourteen (14) days after the date of this notice provided that no Appeals have been registered with this office.

Persons claiming to be affected by a Development Permit for a Discretionary Use may appeal to the Subdivision and Development Appeal Board by submitting a \$100.00 fee, and written notice stating reasons for the Appeal to the Town Manager within fourteen (14) days after this notice is published.

**Brian Stehr**  
Development Officer



## TOWN OF REDCLIFF DEVELOPMENT PERMITS

### NOTICE OF DECISION OF DEVELOPMENT OFFICER

#### Discretionary Uses:

#### Development

| Permit Application# | Details   |
|---------------------|---|
| 15-DP-074           | Lot 97, Block 1, Plan 0213235 (19 Riverview Green SE)<br><b>APPROVED:</b> Hot Tub       |
| 15-DP-075           | Lot 35, Block 139, Plan 9811474 (409 Main Street N)<br><b>APPROVED:</b> Portable Garage |

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**Brian Stehr**  
Development Officer





## TOWN OF REDCLIFF DEVELOPMENT PERMITS

### NOTICE OF DECISION OF DEVELOPMENT OFFICER

#### Discretionary Uses:

#### Development

#### Permit Application# Details

|           |  |
|-----------|--|
| 15-DP-056 | Lot 12, Block 5, Plan 7911064<br>(1811 Broadway Avenue E)<br><b>APPROVED:</b> Tent Structure       |
| 15-DP-067 | Lot 21-23, Block 2, Plan 3042AV<br>(502 5 Street SE)<br><b>DENIED:</b> Addition to detached garage |

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Persons claiming to be affected by a Development Permit for a Discretionary Use may appeal to the Subdivision and Development Appeal Board by submitting a \$100.00 fee, and written notice stating reasons for the Appeal to the Town Manager within fourteen (14) days after this notice is published.

#### NOTICE OF DECISION OF MUNICIPAL PLANNING COMMISSION

#### Development

#### Permit Application# Details

|           |  |
|-----------|--|
| 15-DP-060 | Lot 1, Block 12, Plan 0913590<br>(1102 9 Avenue SE)<br><b>APPROVED:</b> Single Family Dwelling |
|-----------|--|

A Development Permit for a Discretionary Use does not take effect until fourteen (14) days after the date of this notice provided that no Appeals have been registered with this office.

Persons claiming to be affected by a Development Permit for a Discretionary Use may appeal to the Subdivision and Development Appeal Board by submitting a \$100.00 fee, and written notice stating reasons for the Appeal to the Town Manager within fourteen (14) days after this notice is published.

#### Permitted Uses - For Information Only:

#### Development

#### Permit Application# Details

|           |  |
|-----------|--|
| 15-DP-049 | Lot 15, Block 9, Plan 0610075<br>(26 Boundary Road SE)<br><b>APPROVED:</b> Addition to Commercial Building |
| 15-DP-064 | Lot 4, Block 12, Plan 0913590<br>(1114 9 Avenue SE)<br><b>APPROVED:</b> Single family dwelling             |

\*Note: No appeal is available for the issuance of a Development Permit for a permitted use unless provisions of the Land Use Bylaw have been relaxed, varied, or misinterpreted.

**Brian Stehr**  
Development Officer

urier, The 40 Mile County Commentator, Bow Island, Alberta, Tuesday, September 8,



## TOWN OF REDCLIFF DEVELOPMENT PERMITS

### NOTICE OF DECISION OF DEVELOPMENT OFFICER

#### Discretionary Uses:

#### Development

#### Permit Application# Details

|           |  |
|-----------|--|
| 15-DP-069 | Lot 3-4, Block 48, Plan 1117V<br>(119 6 Street SE)<br><b>APPROVED:</b> Detached Garage |
|-----------|--|

A Development Permit for a Discretionary Use does not take effect until fourteen (14) days after the date of this notice provided that no Appeals have been registered with this office.

Persons claiming to be affected by a Development Permit for a Discretionary Use may appeal to the Subdivision and Development Appeal Board by submitting a \$100.00 fee, and written notice stating reasons for the Appeal to the Town Manager within fourteen (14) days after this notice is published.

**Brian Stehr**  
Development Officer

**MUNICIPAL PLANNING COMMISSION  
THURSDAY AUGUST 27, 2015 – 2:00 PM  
TOWN OF REDCLIFF  
SPECIAL MEETING**

**MINUTES**

**PRESENT:**   Members:                           B. Duncan, J. Beach, B. Lowery

                  Development Officer:        B. Stehr

                  Planning Consultant        G. Smith

                  Absent                         B. Vine,

**1.     CALL TO ORDER**

B. Duncan called the meeting to order at 2:00 pm.

**2.     ADOPTION OF AGENDA**

J. Beach moved that the agenda be adopted as presented.  
- Carried.

**3.     PREVIOUS MINUTES**

B. Lowery moved that the previous minutes be accepted as presented.  
- Carried.

**4.     DEVELOPMENT PERMITS FOR MPC CONSIDERATION**

**A) Development Permit Application 15-DP-063  
Demke Enterprises Ltd.  
Lot 1, Block 12, Plan 0913590 (1102 9 Avenue SE)  
Single Family Dwelling**

B. Lowery moved that Development Permit Application 15-DP-063 for a Single Family Dwelling be approved as submitted.  
- Carried.

**5.     FOR INFORMATION**

**A) Response to MPC's comments regarding the Eastside ASP**

MPC directed the Development Officer to check with the Manager of Engineering to confirm that all of the pages were presented.

**6. FOR DISCUSSION**

**A) Checklist for Change of Use – Draft Copy**

MPC agreed to leave item tabled until all members were present.

**7. ADJOURNMENT**

J. Beach moved adjournment of the meeting at 2: 25 pm.  
- Carried.

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Chairman

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Secretary

# Memo

**To** MPC  
**From** Manager of Engineering  
**Date** Aug 13, 2015  
**Re:** MPC Comment on Eastside Areas Structure Plan (ASP) - Draft

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Thank you for taking the time to provide your comment for the Draft Eastside Area Structure Plan (ASP) 2015.

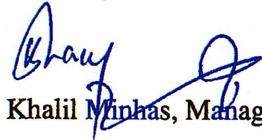
Your comment has been reviewed internally by the Engineering Department and forwarded to ISL Engineering and Land Services (Eastside ASP project consultant) for input. Please see the response to your concern (*as noted in red italics on the attached*) in the email received from Brian Stehr, Town's Development Officer. I trust that this provides sufficient clarification to address any concern.

For your information, The Town's administration intends to bring forward the Eastside ASP 2015 Bylaw for first reading to Town Council in September 2015.

Once again thank you, your feedback has strengthened the contents of the ASP and will lead to a more efficient and livable community for future residents.

Please contact the undersigned if you have any questions or require further information.

Sincerely,



Khalil Minhas, Manager of Engineering

- Attachments:**
- 1). Detailed response on your comment in *red italics* from ISL Engineering and Land Services (Project Consultant)
  - 2). Pages # 25, 26, 37, 38 from the 2010 Redcliff Roadway System Master Plan explain the reasoning for 9<sup>th</sup> Ave width.



The Eastside Traffic Impact Assessment (TIA), prepared by Stantec Consulting Ltd. in March, 2006, recommended that 9<sup>th</sup> Avenue SE should connect Saamis Drive SE and Mitchell Street SE at the time Eastside Phase 11 is constructed.

In reviewing this report SAL recommends the following changes:

1. Eastside Phases 1 to 11 will consist of 768 residential units as illustrated in the Eastside TIA's Traffic Generation Worksheet. For good street connectivity, a second access is typically desirable for subdivisions larger than 100 residential units. Therefore, it is recommended that 9<sup>th</sup> Avenue SE should connect with Saamis Drive SE and Mitchell Street SE with the 2<sup>nd</sup> phase or when over 100 residential units are developed. This second connection has two functions as follows:
  - 9th Avenue SE linking Mitchell Street SE to Saamis Drive SE will serve the adjacent development in Town of Redcliff EMM3 Traffic Model Zone 116 (Eastside ASP) as a direct link to the City of Medicine Hat. It is estimated that at the 7394 population horizon the Eastside subdivision will have a population of 1347. Commuters from the Eastside of the Town are expected to use 9th Avenue SE and Saamis Drive SE as their major route to and from the City of Medicine Hat.
  - 9th Avenue SE will become an alternative route for the current residents west of Mitchell Street SE. It will relieve pressure on the section of Broadway Avenue E from Mitchell Street E to Saamis Drive SE.
2. The road cross section of 9<sup>th</sup> Avenue SE put forward in the report calls for a divided major collector road with 2 driving lanes in each direction and parking lanes on each side. We have evaluated the future capacity requirements for 9<sup>th</sup> Avenue SE and have found that this road section is not appropriate at this location. Some reasons are:
  - Wide roads increase pedestrian crossing distance which then increases the time that pedestrians are in conflict with motor vehicles.
  - Wide roads typically see higher average speeds.
  - Medians cause property access issues especially in residential neighbourhoods with front driveways and garages.
  - Construction of a road wider than will be needed is an unnecessary expense. In the case of 9<sup>th</sup> Avenue SE, we estimate approximately **one million dollars in savings** to build the remainder of the road to an appropriate section instead of continuing with the current section.

This link was referred to as 9<sup>th</sup> Avenue SE and modeled as a 2 lane undivided residential collector roadway in this report. A more detailed and thorough examination of the traffic issues with the Eastside Development is found in Appendix F.

If the remaining portion of 9<sup>th</sup> Avenue SE to be built (approximately 1200 m) is built as currently planned in our opinion the probable cost to build this roadway, excluding the cost of underground utilities, is \$3.5 million. However if our recommendations are followed and the road is not overbuilt for projected traffic volumes the probable cost is \$2.5 million.

#### **6.2.2 Transportation System Performance – 7394 Population Horizon**

Based on the assessment of the traffic conditions at the 7394 population horizon, it was concluded that, with the introduction of a new residential collector roadway (9<sup>th</sup> Avenue SE), all roadways in the Town of Redcliff will operate at acceptable level of service. Also the congestion at the intersection of Broadway Avenue E and Mitchell Street E will be reduced at the 7394 population horizon.



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### **6.2.3 New Roadways to Facilitate Growth – 10,670 Population Horizon**

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With continuing development in the Eastside subdivision it is expected that a new roadway link between Mitchell Street SE and Saamis Drive SE will be constructed by the 10670 population horizon. Current planning is this link is expected to be an extension of 5<sup>th</sup> Avenue SE, however its usefulness as a connector road between Mitchell Street SE and Saamis Drive SE is questionable due to the intersection location on Saamis Drive SE and the tight curves proposed for this road. This link was modeled in EMME3 as a two-lane residential collector roadway without directly connecting between Mitchell Street SE and Saamis Drive SE to reflect the current planning of this road.

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### **6.2.4 Transportation System Performance - 10670 Population Horizon**

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Based on the assessment of traffic conditions at the 10670 population horizon, it was concluded that, with the introduction of a new residential collector roadway (9<sup>th</sup> Avenue SE), all roadways in the Town of Redcliff will still operate at acceptable level of service.

Once the intersection of Saamis Drive SE and 9<sup>th</sup> Avenue SE is signalized, no further intersection improvements are required for 10670 population horizon assuming that the intersection of Broadway Avenue E and Mitchell Street E was signalized or converted to a roundabout prior to the 7394 population horizon.

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### **6.2.5 Ultimate System Build Out**

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When included in a road or intersection discussion, the intent of this section is to identify long term planning that is beyond the 10,670 population horizon but can be identified now. No modeling was done for this and most of the value of this section is ensuring that roadways have the correct long term classification complete with the reasoning behind the long term classification and land for the road or intersection can be acquired over time as opportunities arise.

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## **6.3 Arterial Roads**

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As shown in the MDP, Broadway Avenue, Saamis Drive SE, Mitchell Street E between 9<sup>th</sup> Avenue SE and the Transcanada Highway, and 8<sup>th</sup> Street NW between Broadway Avenue W and the Transcanada Highway are currently arterial roads. Mitchell Street NE north of the Transcanada Highway, 20<sup>th</sup> Street NE north of Broadway Avenue E, and 10<sup>th</sup> Avenue NE will be arterials. This section only includes the road segments that are classified as arterials in the proposed roadway classification system in Section 2.2.3.

The classification of collector roadway was determined more appropriate to Mitchell Street SE between Broadway Avenue E and 9<sup>th</sup> Avenue SE than the current classification of arterial roadway because:

- Mitchell Street SE ends at Redcliff Way SE due to the natural barrier created by the South Saskatchewan River,
- The current traffic volume of Mitchell Street SE south of Broadway Avenue E is approximately 4200 AADT which is consistent with a collector road.
- The majority of peak hour on Mitchell Street SE are commuter between the Town of Redcliff and the City of Medicine Hat with Mitchell Street SE serving as a primary connector to Broadway Avenue.
- When Mitchell Street SE is connected to Saamis Drive SE by 9<sup>th</sup> Avenue SE through the Eastside subdivision a large percentage of commuter traffic is expected to utilize 9<sup>th</sup> Avenue SE instead of Mitchell Street SE to Broadway Avenue.



#### **6.4.2 Mitchell Street SE between Broadway Avenue E and Redcliff Way SE**

Mitchell Street SE currently serves residential areas plus the Redcliff Golf Course located at its south end and the RCMP station located on the east side of the road approximately at 4<sup>th</sup> Avenue SE. In the past Mitchell Street SE also served a brick plant located on the east side of the road between 6<sup>th</sup> Avenue SE and 8<sup>th</sup> Avenue SE, however this plant has been permanently closed for many years.

##### **6.4.2.1 AADT**

The current traffic volume of Mitchell Street SE south of Broadway Avenue E is approximately 4200 AADT.

##### **6.4.2.2 Existing Condition**

Mitchell Street SE is currently a two lane road with curb and gutter on both sides but no sidewalks. The pavement surface varies between 9.3 m and 11.2 m.

##### **6.4.2.3 Classification**

Currently this segment is classified as an arterial roadway however due to the location it is proposed to change the classification to a collector roadway. Because this road also functions as a truck route it is recommended that this road be classified as an industrial/commercial collector.

##### **6.4.2.4 Upgrades**

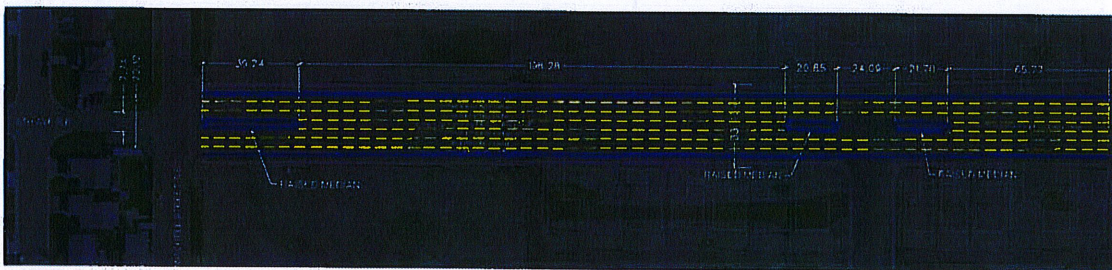
No upgrades are proposed at this time for this segment. It is recommended that a functional planning study be undertaken for this segment of Broadway Avenue E. Our opinion of the probable cost for this study is \$20,000.

#### **6.4.3 9<sup>th</sup> Avenue SE east of Mitchell Street SE**

9<sup>th</sup> Avenue SE east of Mitchell Street SE was planned as a primary collector roadway in the 2001 approved Eastside Area Structure Plan.

##### **6.4.3.1 AADT**

This section of 9<sup>th</sup> Avenue SE is a new road currently serving only a new development, as such there is no measurement of the traffic on this road, though it is likely less than 1000 AADT.





#### **6.4.3.2 Existing Condition**

The total pavement width of the current constructed section is 23.5 m, which includes one 2.5 m parking lane and two driving lanes in each direction and a 3.5 m median. Two types of median, raised median and flush median, were used in this section. The length of flush median is 288 m, which is 78% of the total length. Therefore, the section will function as a five-lane TWLTL design, not a true four-lane divided design.

#### **6.4.3.3 Classification**

Currently this segment is classified as a Primary Residential Collector roadway and it is proposed to change the classification to a residential collector roadway.

#### **6.4.3.4 Safety**

Past researches indicated that the five-lane TWLTL design is most appropriate for suburban highways with commercial development, high left-turn volumes, and/or high rates of rear-end and angle accidents associated with left-turn manoeuvres. Traffic volumes at the full build out stage are projected to be less than 6,000 AADT in the existing section. The current section of 9<sup>th</sup> Avenue SE is substantially overbuilt for projected traffic volumes.

9<sup>th</sup> Avenue SE east of Mitchell Street SE should be reclassified as a residential collector roadway; while detailed cross section, design elements, and interconnectivity should be addressed in a revised Eastside ASP.

#### **6.4.3.5 Upgrades**

No upgrades are proposed at this time for this road segment however it is likely that traffic calming measures will be required in the future when 9<sup>th</sup> Avenue SE is connected to Saamis Drive SE. Without knowing what traffic calming measures will be selected we recommend that \$150,000 be budgeted for installation of traffic calming measures.

### **6.4.4 Main Street S between Broadway Avenue and 9<sup>th</sup> Avenue S**

Main Street south of Broadway Avenue serves residential and public service areas including the Town shop, library, swimming pool and arena.

#### **6.4.4.1 AADT**

The existing traffic volume for Main Street S between Broadway Avenue and 3<sup>rd</sup> Avenue S is approximately 2000 AADT and south of 3<sup>rd</sup> Avenue S is less than 1000 AADT.

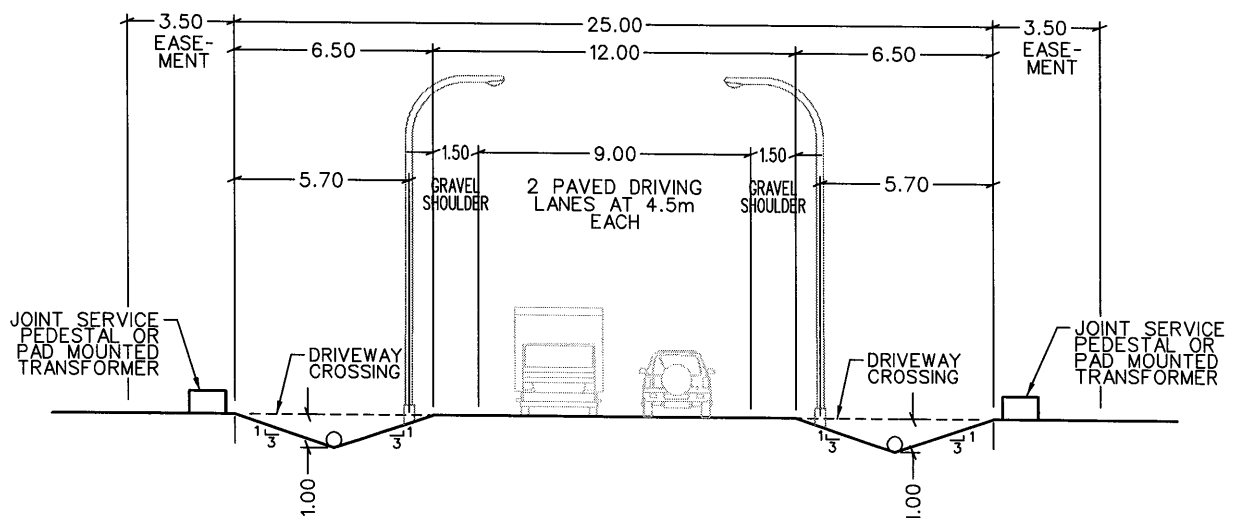
#### **6.4.4.2 Existing Condition**

Main Street S south of Broadway Avenue to 9<sup>th</sup> Avenue S is currently a two lane collector with parking on each side and a pavement width of:

- 11.7 m from Broadway Avenue to 7<sup>th</sup> Avenue S,
- 9.5 m from 7<sup>th</sup> Avenue S to 8<sup>th</sup> Avenue S,
- 10.0 m from 8<sup>th</sup> Avenue S to 9<sup>th</sup> Avenue S,

#### **6.4.4.3 Classification**

Currently this segment is classified as a collector roadway.



RESIDENTIAL COLLECTOR ROADWAY - RURAL



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**From:** Brian Stehr <BrianS@redcliff.ca>  
**Sent:** Thursday, June 18, 2015 8:11 AM  
**To:** Khalil Minhas  
**Cc:** Shanon Simon  
**Subject:** MPC comments

Good Morning Khalil,

The MPC provided the following comments in regards to the draft Eastside ASP

**1. FOR DISCUSSION**

**A) Eastside Area Structure Plan – Draft**

The Municipal Planning Commission had the following comment in regards to the proposed Eastside Area Structure Plan.

1. Recommend that 9<sup>th</sup> Avenue SE be widened as per the original Area Structure Plan. The 9<sup>th</sup> Avenue roadway will be the major arterial road for most residents from 6 Avenue S, and for future river valley expansion. The Municipal Planning Commission thought that by having the road widened at subdivision it would have minimal effect on any residential development.

*The width of 9<sup>th</sup> Avenue is consistent with the recommendations within the "Town of Redcliff 2010 Redcliff Roadway System Master Plan" (see page 25) and direction from Town Administration.*

Brian W. Stehr  
Development Officer  
Town of Redcliff 403-548-9231  
[brians@redcliff.ca](mailto:brians@redcliff.ca)

## MEMORANDUM

**TO:** Municipal Planning Commission

**FROM:** Manager of Legislative & Land Services

**DATE:** October 15, 2015

**TOPIC:** Municipal Planning Commission Authority and membership composition

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The purpose of this memo is to provide the Municipal Planning Commission with an update with regard to some recently proposed changes to the Municipal Planning Commission with regard to its powers/duties and membership composition.

At the Council meeting held October 13, 2015 Redcliff Town Council gave first reading to the following bylaws:

- Bylaw 1811/2015, Subdivision and Development Appeal Board
- Bylaw 1812/2015, Subdivision Approving Authority Bylaw
- Bylaw 1813/2015, Municipal Planning Commission Bylaw
- Bylaw 1814/2015, a Bylaw to amend Bylaw 1698/2011 being the Land Use Bylaw

The proposed amendments to these bylaws include removing reference to the "Redcliff Planning Board" and to change the authority of the Subdivision Approving Authority from Redcliff Town Council to the Municipal Planning Commission. In addition it is proposing changes to the composition of the Municipal Planning Commission to include members of Council. These changes are proposed to take effect January 1, 2016.

Removal of the reference to Redcliff Planning Board is in alignment with the elimination of this Board as per Bylaw 1787/2014 which was adopted in June 2014. Further these proposed changes are consistent with recommendations from the Municipal Inspection Report completed by Alberta Municipal Affairs in 2013.

Copies of the Bylaws are attached here for your information.

**TOWN OF REDCLIFF  
BYLAW NO. 1811/2015**

**A BYLAW OF THE TOWN OF REDCLIFF** to establish the Subdivision and Development Appeal Board and prescribe its role and responsibilities.

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

**WHEREAS** the *Municipal Government Act* states that Council may by Bylaw establish a **Subdivision and Development Appeal Board**;

**NOW THEREFORE THE MUNICIPAL CORPORATION OF REDCLIFF, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:**

**INTERPRETATION**

1. In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meaning:
  - a) "Act" means the *Municipal Government Act*, as amended from time to time.
  - b) "Alternate" means a duly appointed member of the Subdivision and Development Appeal Board that is specifically named and titled as an alternate and such alternate shall assume all duties and rights of a full-time member should any full-time member be:
    - i) unable to attend a hearing of the Subdivision and Development Appeal Board; or
    - ii) declares he is abstaining from participation in a specific hearing to be held by the Subdivision and Development Appeal Board.
  - c) "Appellant" means the person who has served written notice of an appeal on the Subdivision and Development Appeal Board from a decision, order or development permit issued by the Redcliff Subdivision Approving Authority Or Development Authority.
  - d) "Community at large" means the persons residing within the corporate boundaries of the Town of Redcliff
  - e) "Council" means the Council of the Town of Redcliff.
  - f) "Development" shall be defined as outlined in the current Land Use Bylaw of the Town of Redcliff.
  - g) "Development Application" means an application made to the Town in accordance with the Land Use Bylaw for the purpose of obtaining a Development Permit.
  - h) "Development Officer" means a person appointed to the office of development officer pursuant to the Land Use Bylaw, or the Municipal Planning Commission.



- i) "Development Permit" means a document authorizing a development proposal in accordance with the Land Use Bylaw.
- j) "Land Use Bylaw" means a Bylaw of the Town of Redcliff adopted by Town Council as a Land Use Bylaw and all amendments thereto, in accordance with the *Act*.
- k) "Member" means a member of the Subdivision and Development Appeal Board duly appointed by Town Council pursuant to this Bylaw.
- l) "Municipal Manager" means a person appointed by Town Council as Chief Administrative Officer in accordance with the *Municipal Government Act*.
- m) "Municipal Planning Commission", "Planning Commission" or "Commission" means the Town of Redcliff Municipal Planning Commission established by Council pursuant to the *Act*.
- n) "Secretary" means the Municipal Manager or the individual the Municipal Manager has directed to perform the secretarial duties of the Board.
- o) "Subdivision" means a subdivision application submitted to the Redcliff Subdivision Approving Authority that has had a decision made.
- p) "Subdivision and Development Appeal Board" means the Subdivision and Development Appeal Board established by Council pursuant to this Bylaw in accordance with the *Act*.

### **ESTABLISHMENT AND COMPOSITION**

- 2. A Subdivision and Development Appeal Board is hereby established under the name of Redcliff Subdivision and Development Appeal Board, or the Subdivision and Development Appeal Board.
- 3. The Subdivision and Development Appeal Board shall be composed of a minimum of five (5) members and a maximum of seven (7) as well as two (2) alternates being:

#### **Members**

- a) two (2) Councillors as appointed by Redcliff Town Council;
- b) minimum of three (3) and a maximum of five (5) citizens at large as appointed by Redcliff Town Council.

#### **Alternate Members**

- a) one (1) Councillor appointed by Redcliff Town Council;
- b) one (1) Citizen at large as appointed by Redcliff Town Council.

- 4. Members appointed who are Councillors of the Town of Redcliff shall be appointed annually at the Organizational Meeting of Redcliff Town Council.

5. A citizen at large member or alternate shall be appointed for a term of up to three (3) years to expire on December 31 of the year which shall be established when they are appointed.
6. The Subdivision and Development Appeal Board may make its rules as are necessary for the conduct of its meetings and its business in accordance with the *Act* and this Bylaw.

#### **TERMINATION OF APPOINTMENTS**

7. Subject to Section 8(b) below, the rules of conduct relating to pecuniary interest contained in the *Municipal Government Act*, as amended from time to time, shall be deemed to apply mutatis mutandis to members of the Board.
8. Council may by resolution terminate the appointment of any member of the Board if:
  - a) the member is absent from three (3) consecutive meetings of the Board;
  - b) the member violates the rules of conduct referred to in Section 7 above;
  - c) the member uses information gained through his position as a member of the Board to gain a pecuniary benefit in respect of any matter in which he/she has a pecuniary interest, or;
  - d) the member otherwise conducts himself in a manner that Council considers to be improper.
9. A member of the Board's appointment shall automatically terminate if the member ceases to be a member of the Community at large.
10. The appointment of a member of the Board may at any time be revoked by resolution of Council.

#### **APPOINTMENT OF CHAIRMAN**

11. The members of the Subdivision and Development Appeal Board shall at each meeting elect by majority a member who shall act as the Chairman of the Subdivision and Development Appeal Board for that hearing.
12. The Chairman or such other person authorized by the Subdivision and Development Appeal Board, shall sign all notices of decisions and other documents on behalf of the Board relating to any jurisdiction or power of the Board.
13. Any document that has been signed by the Chairman or the authorized person shall be deemed to have been signed on behalf of and with the approval of the Subdivision and Development Appeal Board.

14. Every member shall vote on every matter placed before the Subdivision and Development Appeal Board:
- a) unless in a specific case, the Chairman or member is excused by resolution of the Board from voting, or
  - b) unless disqualified from voting by reason of pecuniary interest.

#### **APPOINTMENT AND DUTIES OF SECRETARY**

15. The Secretary shall perform such functions as may be necessary to assist the Subdivision and Development Appeal Board to fulfill its duties under the Act and this Bylaw.
16. The Secretary shall maintain a written record with respect to:
- a) the minutes of all meetings and public hearings;
  - b) all applications for appeals;
  - c) copies of all written representation to the Subdivision and Development Appeal Board;
  - d) a summary of any verbal evidence presented to the Subdivision and Development Appeal Board;
  - e) the names and addresses of those persons making representation to the Subdivision and Development Appeal Board;
  - f) the decisions together with the reasons of the Subdivision and Development Appeal Board;
  - g) copies of all notices of decisions and to whom they were sent.
17. The Secretary shall:
- a) notify all members of the Subdivision and Development Appeal Board of the arrangements for holding each hearing and other meetings
  - b) make available for public inspection all relevant documents and materials respecting appeals and all appeal decisions.
  - c) notify the appellant and any other required parties of the decision of the Subdivision and Development Appeal Board. The Secretary is authorized to sign such correspondence.

**DUTIES OF THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

18. The Subdivision and Development Appeal Board shall meet at such intervals as are necessary to hear subdivision and development appeals in accordance with the Act, this Bylaw and the Land Use Bylaw.
19. The Subdivision and Development Appeal Board shall hold a public hearing within thirty (30) days of receipt of a notice of appeal duly filed in accordance with this Bylaw, the Land Use Bylaw, a subdivision application and the Act.
20. The Subdivision and Development Appeal Board shall make available for public inspection, before the commencement of the public hearing, all relevant documents and materials respecting the appeal.
21. The Secretary, shall give at least five (5) days notice in writing of the public hearing to:
  - a) In the case of a Development Appeal to:
    - i) the appellant,
    - ii) the development authority whose order, decision or development permit is the subject of the appeal, and
    - iii) those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.
    - iv) Such other person as the Subdivision and Development Appeal Board specifies.
  - b) In the case of a Subdivision Appeal to:
    - i) the applicant for the subdivision approval,
    - ii) the subdivision authority that made the decision,
    - iii) If land that is the subject of the application is adjacent to the boundaries of another municipality, that municipality,
    - iv) any school board to whom the application was referred, and
    - v) every Government department that was given a copy of the application pursuant to the subdivision and development regulations.
    - vi) Owners of land that is adjacent to land that is the subject of the application to the Satisfaction of the Subdivision and Development Appeal Board and in conforming with the Act.

- c) In the case of a Review of a Stop Order to:
    - i) Owner or occupant to whom the order was issued
    - ii) Other persons who the Municipal Manager, or his designate, considers to be affected.
22. At the Public Hearing, the Subdivision and Development Appeal Board shall hear:
- a) the appellant or any person acting on his behalf;
  - b) the Development Officer or a representative of the Municipal Planning Commission from whose order, decision or development the appeal is made;
  - c) a representative(s) of the Redcliff Subdivision Approving Authority;
  - d) any other person who was served with notice of the hearing;
  - e) any other person or his agent who claims to be affected by the order, decision, or permit and that the Subdivision and Development Appeal Board agrees to hear.
  - f) the owner or occupant to whom a Stop Order was issued to.

### **RIGHT OF APPEAL**

23. A person may appeal to the Subdivision and Development Appeal Board where:
- a) the Development Authority or Redcliff Subdivision Approving Authority as the case may be,
    - i) refuses or fails to issue a development permit or subdivision approval, or
    - ii) issues a development permit or subdivision approval subject to conditions, or
    - iii) issues an order under the Act.
  - b) no decision on the application for a development permit is made within forty (40) days of receipt of the completed application.
  - c) no decision on the application for a subdivision is made within
    - i) 21 days from the date of receipt of the completed application in the case of a completed application for a subdivision described in section 652(4) of the *Act* if no referrals were made pursuant to section 5(6) of the Subdivision and Development Regulation,
    - ii) 60 days from the date of receipt of any other completed application under section 4(1) of the Subdivision and Development Regulation, or

- iii) the time agreed to pursuant to section 681(1)(b) of the *Act*.
  - d) a stop order issued pursuant to Section 645 of the *Act*.
24. A person affected by an order, decision or development permit made or issued by the Development Authority or Redcliff Subdivision Approving Authority as the case may be, other than a person having a right of appeal under Section 23(a) of this Bylaw may appeal to the Subdivision and Development Appeal Board in accordance with the *Act* and this Bylaw.
25. An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal on the Board within fourteen (14) days after:
- a) in the case of an appeal made by a person referred to in Section 23 the date on which:
    - i) the person is notified of the order, decision, the issuance of the development permit or subdivision approval, or
    - ii) if no decision is made with respect to the application for a development permit, the forty (40) day period and any extension of that period referred to in Section 23(b) of this Bylaw.
    - iii) if no decision is made with respect to the application for a subdivision, the time requirements listed in Section 23(c) of this Bylaw.
  - b) in the case of an appeal by a person referred to in Section 24 of this Bylaw, the date on which the notice of the issuance of the development permit was given in accordance with the Land use Bylaw.
26. The written notice of the appeal shall be made on the Subdivision and Development Appeal Form as prescribed by Council resolution from time to time and signed by the Appellant and accompanied by a fee as prescribed in the Town of Redcliff Rates Policy adopted by Council. The fee is to be paid at time of appeal.
27. The Appellant may serve the Subdivision and Development Appeal Form on the Board by either:
- a) registered or certified mail addressed to:  
  
Municipal Manager  
Town of Redcliff  
1 - 3 Street N.E., Box 40  
Redcliff, Alberta, T0J 2P0
  - or
  - b) delivering it in person to the Office of the Municipal Manager in the Town Hall to reach/deliver no later than the fourteenth (14th) day (including Saturdays, Sundays and holidays) after the person is notified in accordance with the Land



Use Bylaw, development permit issued by the Development Authority or Redcliff Subdivision Approving Authority as the case may be.

### **NOTICE OF PUBLIC HEARING**

28. Upon receipt of notice of appeal duly filed pursuant to the provisions of this Bylaw, the Land Use Bylaw, and the *Act*, the Municipal Manager, or his designate shall:
- a) set a date, time, and place for a public hearing to be held within the time limit prescribed under the *Act*, and
  - b) ensure that the requirements of Section 21 of this Bylaw are fully complied with.

### **QUORUM**

29. The members of the Subdivision and Development Appeal Board who are Town of Redcliff Councillors shall not form the majority of members at any hearing.
30. Subject to Section 29, the majority of the appointed full time members of the Subdivision and Development Appeal Board shall constitute a quorum at any meeting of the Board. Should members of Council be unable to sit on the board to hear an appeal, quorum will be determined by the majority of the remaining full time members of the board.
31. Only the members present during the entire length of the discussion pertaining to a matter being considered at a public hearing or meeting of the Subdivision Development Appeal Board shall be allowed to vote on the appeal.

### **COMPLIANCE WITH STATUTORY PLANS AND LAND USE BYLAW**

32. In determining an appeal, the Subdivision and Development Appeal Board:
- a) in regard to Subdivision Approval or Development Permits shall comply with any regional plan, statutory plan and subject to Clause (b), the Land Use Bylaw in effect;
  - b) in regard to a Development Permit may make an order, decision, issue or confirm the issuance of a Development Permit notwithstanding that the proposed development does not comply with the Land Use Bylaw, if in its opinion,
    - i) the proposed development would not unduly interfere with the amenities of the neighbourhood, or
    - ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties,
    - iii) the proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw; and.
  - c) in regard to a Subdivision Approval,

- i) must be consistent with the land use policies;
- ii) must have regard to but is not bound by the subdivision and development regulations;
- iii) may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision authority or make or substitute an approval, decision or condition of its own;
- iv) may, in addition to the other powers it has, exercise the same power as a subdivision authority is permitted to exercise pursuant to the *Act*.

### **DECISIONS**

- 33. The Subdivision and Development Appeal Board may confirm, revoke or vary the order, decision or development permit, subdivision or any condition attached to any of them or make or substitute an order, decision or permit of its own,
- 34. The Subdivision and Development Appeal Board shall give its decision upon an appeal in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- 35. The decision of the majority of the members of the Board present at a public hearing or meeting duly convened shall be deemed to be the decision of the Board.
- 36. In the event of a tie vote, the motions shall be deemed to be decided in the negative.
- 37. Where the hearing is adjourned and the Board does not at the time of adjournment fix a time and place for a further hearing of the application and announce it to those in attendance, the Chairman of the Board shall announce to those in attendance that notice of the time and place for a further hearing will be sent only to those persons who leave their name and addresses and to whom notice is required under Section 21.
- 38. Where the Subdivision and Development Appeal Board allows an appeal against the refusal of a permit by the Development Officer or the Municipal Planning Commission, as the case may be, the Development Officer shall issue a Development Permit in conformity with the Board's decision.
- 39. Where the Subdivision and Development Appeal Board allows an appeal against the refusal of a subdivision application by the Redcliff Subdivision Approving Authority, the Authorized Signing Officer for the Redcliff Subdivision Approving Authority shall issue an approval in conformity with the Board's decision.
- 40. In accordance with the Act the Subdivision and Development Appeal Board may deliberate and make its decision in meetings closed to the public.

**APPEALS TO COURT OF LAW**

41. A decision made by the Subdivision and Development Appeal Board on a development appeal or subdivision application is final and binding on all parties and persons subject only to a judicial review upon a question of jurisdiction or law pursuant to the *Act*.
42. The Secretary shall keep on file all notices of application made for leave to appeal to the Appellant Division from the decisions of the Subdivision and Development Appeal Board in accordance with the *Act*.

**CONFIDENTIALITY**

43. The Board shall withhold the following information, within the possession of the Town unless its disclosure is required by this or any other enactment or by an order of the court or its disclosure is consented to by the person to whom the information relates:
  - a) commercial information, the disclosure of which would:
    - i) likely prejudice the commercial position of the person who supplied it,
    - ii) reveal a trade secret,
    - iii) likely prejudice the Town's ability to carry out its activities or negotiations,or
    - d) allow the information to be used for improper gain or advantage;
  - b) information that is subject to obligations of confidence, the disclosure of which would:
    - i) likely prejudice the future supply of similar information or advice,
    - ii) likely prejudice the Town's ability to carry out its activities or negotiations,
    - iii) place Board members, Councillors, or employees of the Town at risk of improper pressure or harassment,
    - iv) breach legal professional privilege, or
    - v) prejudice measures protecting health and safety;
  - c) personal information, including personnel information, unless its disclosure:
    - i) is for the purpose for which the information was obtained or for a consistent purpose,
    - ii) is required so that the Town can carry out its duties and functions, or
    - iii) is in a statistical or other form so that the name of persons are not revealed or made identifiable;
  - d) information of a deliberative kind and draft reports that are likely to be released to the public in a final form in due course except when the information or draft report is placed before a meeting held in public;
  - e) information the disclosure of which could prejudice security and the maintenance of the law;
  - f) information placed before a meeting that is closed to the public, except when the information is later placed before a meeting held in public;
  - g) information that is prohibited from being released by this or any other enactment.

**REPEAL**

44. Bylaw No. 1742/2013 is hereby repealed upon this Bylaw coming into effect.

45. this Bylaw shall come into effect January 1, 2016.

READ a first time this 13 day of October 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SIGNED and PASSED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MANAGER OF LEGISLATIVE AND LAND SERVICES

**TOWN OF REDCLIFF  
BYLAW NO. 1812/2015**

**A BYLAW OF THE TOWN OF REDCLIFF** to establish the Redcliff Subdivision Approving Authority and prescribe its role and responsibilities.

**WHEREAS** the Municipal Government Act, Chapter M26.1, Revised Statutes of Alberta 2000, provides that a municipality shall by Bylaw establish a Subdivision Approving Authority;

**NOW THEREFORE THE MUNICIPAL CORPORATION OF REDCLIFF, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:**

**SHORT TITLE**

1. This Bylaw may be cited as the **Subdivision Approving Authority Bylaw**.

**INTERPRETATION**

2. In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:
  - (A) **Act** means the Municipal Government Act, as amended from time to time.
  - (B) **Council** means the Council of the Town.
  - (C) **Municipal Manager** means a person appointed by Council as Chief Administrative Officer and known as Municipal Manager.
  - (D) **Manager of Legislative and Land Services** means a person appointed by Council as a Designated Officer and known as Manager of Legislative and Land Services.
  - (E) **Redcliff Planning Consultant** means the person appointed by Council to provide consulting planning services to the Town.
  - (F) **Secretary** means the Municipal Manager or the individual the Municipal Manager has directed to perform the secretarial duties of the Authority.
  - (G) **Subdivision** means a subdivision application submitted to the Subdivision Approving Authority.
  - (H) **Town** means the Municipality of the Town of Redcliff.

**SUBDIVISION AUTHORITY**

3. A subdivision authority is hereby established to exercise subdivision powers and duties on behalf of the Town.
4. The Subdivision Authority is the Municipal Planning Commission in the case of all subdivisions.

5. The Subdivision Authority has all the powers and duties of a subdivision authority under the Act, regulations under the Act and any other statute or regulation.

### **SUBDIVISION APPLICATIONS**

6. The Manager of Legislative and Land Services shall:
- a) receive all applications for subdivision and determine if the applications are complete;
  - b) give notice of receipt of subdivision applications as required by the Act;
  - c) coordinate the review of applications by Town departments and other agencies;
  - d) refer all applications, once reviewed by Town departments and agencies, to the Municipal Planning Commission for consideration; and
  - d) endorse plans of subdivision or other instruments effecting subdivision in accordance with the provisions of the Act.
7. Following approval of a subdivision by the Subdivision Authority, the Manager of Legislative and Land Services may approve minor modifications to the subdivision provided the adjustments are minor boundary adjustments.

### **EXTENSIONS**

8. Council's powers to grant extensions as per the Act is delegated to the Municipal Planning Commission.

### **FEES**

9. Council may by resolution establish fees to be charged with respect to subdivisions in the Town.

### **10. REPEAL**

- A) Bylaw No. 1221/2000 is hereby repealed.
- B) This Bylaw shall take effect January 1, 2016.

READ a first time this 13<sup>th</sup> day of October 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.



READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MANAGER OF LEGISLATIVE  
& LAND SERVICES

**BYLAW NO. 1813/2015  
OF THE TOWN OF REDCLIFF  
IN THE PROVINCE OF ALBERTA**

A BYLAW OF THE TOWN OF REDCLIFF to establish the **Redcliff Municipal Planning Commission** and prescribe its role and responsibilities.

This Bylaw shall be known as the "Town of Redcliff Municipal Planning Commission Bylaw."

**WHEREAS** the *Municipal Government Act* provides that **Council** may by Bylaw establish a **Municipal Planning Commission**;

**NOW THEREFORE THE MUNICIPAL CORPORATION OF REDCLIFF, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:**

**INTERPRETATION**

1. In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:
  - a) "Act" means the *Municipal Government Act*, as amended from time to time.
  - b) "Council" means the Municipal Council of the Town of Redcliff.
  - c) "Development" shall be defined as outlined in the current Land Use Bylaw of the Town of Redcliff.
  - d) "Development Application" means an application for development made to the Town in accordance with the Town of Redcliff Land Use Bylaw for the purpose of obtaining a Development Permit.
  - e) "Development Officer" means a person appointed to the office of Development Officer pursuant to this Bylaw or the Municipal Planning Commission.
  - f) "Development Permit" means a document which authorizes development pursuant to the Land Use Bylaw and which may include plans, drawings, specifications or other documents.
  - g) "Land Use Bylaw" means a bylaw of the Town of Redcliff to regulate, control or prohibit the use and development of land and buildings within the Town of Redcliff in accordance with the provisions of the *Municipal Government Act*.
  - h) "*Manager of Legislative and Land Services*" means a person appointed by Council as a Designated officer and known as the *Manager of Legislative and Land Services*.
  - i) "Member" means a member of the Municipal Planning Commission of the Town of Redcliff.
  - j) "Municipal Planning Commission", "Planning Commission" or "Commission" means the Redcliff Municipal Planning Commission established by Council pursuant to the *Act*, and constituted and empowered by Council pursuant to Town of Redcliff Bylaws, as amended, or a Bylaw substituted therefor.

- k) "Municipality" means the geographic area situated within the corporate boundaries of the Town of Redcliff.
- l) "Secretary" shall mean the Municipal Manager or the individual the Municipal Manager has directed to perform the secretarial duties of the Commission.
- m) "Subdivision & Development Appeal Board" means a board established by Council pursuant to the *Act*.
- n) "Town" shall mean the Municipal Corporation of the Town of Redcliff.

### **ESTABLISHMENT AND COMPOSITION**

- 2. The Commission for the Town is hereby established.
- 3. The Commission shall consist of seven (7) Members as follows:
  - a) Three (3) members of the Council, and
  - b) Four (4) public members appointed by the Council.
- 4. A person who is the Development Officer, an employee of the Town, or a member of the Subdivision and Development Appeal Board shall not be appointed to the Commission.
- 5. A public member is eligible to be appointed to the Commission if they reside within the corporate boundaries of the Town of Redcliff.
- 6. Each Member of the Commission shall be appointed by resolution of Council.
- 7. A Member may be reappointed but only by resolution of Council.
- 8. A vacancy on the Commission may only be filled by resolution of Council.

### **REMUNERATION**

- 9. Members of the Commission shall hold office without remuneration.
- 10. A Member may make submissions to Council or as established by policy of Council for Commission related Development expenses.

### **TERMINATION OF APPOINTMENTS**

- 11. Subject to Section 20 (b) below, the rules of conduct relating to pecuniary interest contained in the *Act*, as amended from time to time, shall be deemed to apply to members of the Commission.
- 12. Council may by resolution terminate the appointment of any Member if:
  - a) the Member is absent from three (3) consecutive meetings of the Commission;

- b) the Member uses information gained through appointment to gain a pecuniary benefit in respect of any matter in which he has a pecuniary interest, or;
  - c) the Member otherwise conducts himself/herself in a manner that Council considers to be improper.
- 13. A Member's appointment shall automatically terminate if the Member ceases to reside within the corporate boundary of the Town of Redcliff or if the Member becomes an employee of the Town.
- 14. The appointment of a Member may at any time be revoked by resolution of Council.

#### **APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN**

- 15. The Commission shall at its first regular meeting held in each year, elect, by a majority vote of the Members present, one Member for the office of Chairman and one Member for the office Vice-Chairman.
- 16. The Vice-Chairman shall preside over any business before the Commission in the event of the absence or inability of the Chairman to act.
- 17. In the event of the absence or inability to act of the Chairman and Vice- Chairman at a meeting of the Commission, the Members present shall elect, by a majority vote, a Member to act as Chairman at that meeting.

#### **QUORUM**

- 18. Majority of the appointed Members shall constitute a quorum at any meeting of the Commission.
- 19. Only those Members present during the entire length of the discussion pertaining to a matter being considered at a meeting of the Commission shall have a vote on the matter.

#### **FUNCTIONS & DUTIES OF THE COMMISSION**

- 20. The Commission shall perform the following functions and duties:
  - a) exercise the development powers and duties as outlined in the Land Use Bylaw of the Town and amendments thereto;
  - b) exercise the subdivision powers as outlined in the Subdivision Approving Authority Bylaw, the Act, Town of Redcliff Land Use Bylaw, any other statutory provision or any Bylaw or Regulation as amended from time to time.
  - c) advise and assist the Council with regards to planning and development matters within the municipality.
  - d) carry out such other functions and duties as may be assigned to the Commission by Council

21. The Commission shall have no power to spend money, to make any purchases on behalf of the Town, or to obligate or bind the Town in any manner whatsoever.
22. Any recommendations made by the Commission regarding general planning issues shall be forwarded to Council.
23. The Commission shall have no power in matters concerning selection, rates of pay, fringe benefits or other matters pertaining to the welfare of staff. The Commission may however address related operational concerns and or issues, in writing, through the Municipal Manager and/or through Council.
24. The Commission shall restrict its request for information to information required to make sound planning decisions relating to matters within its jurisdiction.

### **COMMUNICATIONS**

25. The Commission shall provide a copy of meeting minutes to the Council on a regular basis.
26. The Commission may make presentations to Council regarding planning and development related issues.
27. The Commission shall ensure original minutes and correspondence of Commission and sub-committee meetings are kept safe at the Town's municipal office.

### **CONFIDENTIALITY**

28. The Commission shall withhold the following information, within the possession of the Town unless its disclosure is required by this or any other enactment or by an order of the court or its disclosure is consented to by the person to whom the information relates:
  - a) commercial information, the disclosure of which would:
    - i. likely prejudice the commercial position of the person who supplied it,
    - ii. reveal a trade secret
    - iii. likely prejudice the Town's ability to carry out its activities or negotiations,  
or
    - iv. allow the information to be used for improper gain or advantage;
  - b) information that is subject to obligations of confidence, the disclosure of which would:
    - i. likely prejudice the future supply of similar information or advice,
    - ii. likely prejudice the Town's ability to carry out its activities or negotiations,
    - iii. place Commission Members, Councillors, or employees of the Town at risk of improper pressure or harassment,
    - iv. breach legal professional privilege, or
    - v. prejudice measures protecting health and safety;
  - c) personal information, including personnel information, unless its disclosure:

- i. is for the purpose for which the information was obtained or for a consistent purpose,
  - ii. is required so that the Town can carry out its duties and functions, or
  - iii. is in a statistical or other form so that the name of persons are not revealed or made identifiable;
- d) information of a deliberative kind and draft reports that are likely to be released to the public in a final form in due course except when the information or draft report is placed before a meeting held in public;
- e) information the disclosure of which could prejudice security and the maintenance of the law;
- f) information about assessments and taxes, except as provided in this or any other enactment;
- g) information placed before a meeting that is closed to the public, except when the information is later placed before a meeting held public;
- h) information that is prohibited from being released by this or any other enactment.

## **MEETINGS**

29. The Commission may, at any meeting which all Members are present decide by motion to hold regular meetings. That motion shall state the day, hour and place of every such meeting and no notice of any such meeting is necessary.
30. Special Meetings of the Commission may be established through either of the following processes:
- a) Written requests for the calling of a special meeting may be made to the Secretary by an applicant for a development application, only upon full completion and payment of the development application, and an administration fee detailed in the Town of Redcliff Rates Policy adopted by Council. Upon receiving the request and all fees being paid, the Secretary shall initiate a request for a special meeting. The Secretary shall firstly contact the Chairman advising him/her of the request and ask the Chairman for a preferred date and time for the meeting and provide the Chairman with the details of the application in hand.

The Secretary shall then poll, via telephone, each Member providing them with the proposed agenda item(s) and pose the question of whether they agree to the meeting on the suggested date and time. If a two thirds (2/3) majority of the Members agree to the request, the meeting shall be deemed to be called.

The Secretary shall document the response from each Member polled and those results shall be held in confidence in order to protect the anonymity of the Members' choice, and be released only upon request by the Commission, at the

special meeting or if the request for the meeting is unsuccessful, at the next regular meeting of the Commission.

In the event the meeting is called and a quorum is not reached at the requested meeting, a refund for the full amount, less an administrative fee of \$50.00 for the polling of members, shall be made to the applicant who made the request.

- b) For purposes other than a request from an applicant to expedite an application the Chairman may (at no cost ) advise the Secretary to initiate a request for a special meeting. He/she shall provide the Secretary with a preferred date and time for the meeting, and provide details of the agenda item(s) to be discussed. The Secretary shall then poll, via telephone, each Member providing them with the proposed agenda item(s) and pose the question of whether they agree to the meeting, for the purpose requested, on the suggested date and time. If a two thirds (2/3) majority of the members agree to the request, the meeting shall be deemed to be called. The Secretary shall document the response from each Member polled and those results shall be held in confidence in order to protect the anonymity of the Members' choice, and be released only upon request by the Commission, at the special meeting or if the request for the meeting is unsuccessful, at the next regular meeting of the Commission.
  - c) No business other than the business stated in the request and outlined to each Member in the telephone poll, shall be discussed or considered at any special meeting.
31. The Commission shall meet at regular intervals to undertake the duties assigned to it by Council under this Bylaw and any resolution of Council pursuant to this Bylaw.
32. The conduct of the meetings shall be determined by the Chairman who may:
- a) set procedural rules from time to time;
  - b) permit delegations to appear before the Commission;
  - c) rule on any other matter as deemed fit.

In every case the Chairman shall first obtain a majority vote from the Members present.

33. The Commission may consult or obtain information from any person, advisor or consultant who is not a Member thereof. It may request such person, advisor or consultant to attend its meeting or meetings.
34. The meetings of the Commission shall normally be held in public. The Commission may, based on reasons it seems fit, hold a meeting closed to the public pursuant to the *Act*.
35. The Commission may deliberate and make its decisions in meetings closed to the public, however when a meeting is closed to the public no resolution may be passed at the meeting, except a resolution to revert to a meeting held in public.

**DECISIONS**

36. The Commission may make its decisions, recommendations and issue notices with or without conditions in accordance with the *Act*, this Bylaw, the Land Use Bylaw, any other statutory provision or any Bylaw or Regulation as amended from time to time..
37. The Chairman, when present, and every other Member present shall vote on every matter.
  - a) Unless, in a specific case the Chairman or Member is excused by resolution of the Commission from voting, or
  - b) Unless disqualified from voting by reason of pecuniary interest.
38. The decisions of the Commission shall be by simple majority vote of the Members present.
39. No seconder is required to make a motion of the Commission.
40. Any resolution in which there is a tie vote shall be deemed to be decided in the negative.
41. The secretary shall, whenever a recorded vote is demanded (in advance of the vote) by a Member, record in the minutes the name of each Member present and whether the Member voted for or against the matter.
42. Minutes of each meeting shall be confirmed at each subsequent meeting of the Commission. The last page of the minutes of each meeting shall be signed by the Chairman or presiding Member and the Secretary.
43. The Chairman or such other person authorized by the Commission for the purpose shall sign all notices of decisions, correspondence on recommendations and other documents on behalf of the Commission relating to any responsibilities of the Commission.
44. Any document that has been signed by the Chairman or the authorized person shall be deemed to have been signed on behalf of and with the approval of the Commission.
45. Notwithstanding Section 43, the Development Officer, or designate, are hereby authorized to sign decisions, and other documents as required to conduct the business of the Development Authority.
46. Notwithstanding Section 43, the Manager of Legislative and Land Services, or designate, are hereby authorized to sign decisions, instruments for endorsement, easements, caveats, extensions and other documents, as may be required in relation to subdivision applications.



**SECRETARY**

47. The Secretary shall attend all meetings of the Commission and shall keep all minutes, documents and records of the Commission safe in the Municipal Office of the Town.
48. The Development Officer shall prepare an agenda for each meeting of the Commission and prior to each meeting, shall arrange to deliver a copy of the agenda to each Member of the Commission, and to its technical advisors.
49. The Secretary shall conduct the correspondence of the Commission and provide it with such administrative services as required.

**REPEAL**

50. Bylaw Number 1791/2014 known as the Municipal Planning Commission Bylaw is hereby repealed upon this Bylaw coming into effect January 1, 2016.
51. This Bylaw shall come into force January 1, 2016.

READ a first time this 13<sup>th</sup> day of October 2015.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ a third and final time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MANAGER OF LEGISLATIVE  
AND LAND SERVICES

**BYLAW NO. 1814/2015  
OF THE TOWN OF REDCLIFF  
IN THE PROVINCE OF ALBERTA**

**A BYLAW OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA FOR THE  
PURPOSE OF AMENDING BYLAW 1698/2011 BEING THE REDCLIFF LAND USE BYLAW.**

**WHEREAS** the Council of the Town of Redcliff has eliminated the Redcliff Planning Board.

**AND WHEREAS IT IS PROPOSED** that any and all reference to "Redcliff Planning Board" be removed from the Land Use Bylaw.

**AND WHEREAS** the Council of the Town of Redcliff has delegated the subdivision approving authority to the Municipal Planning Commission.

**AND WHEREAS IT IS PROPOSED** that the reference to subdivision authority be included in the Land Use Bylaw.

**AND WHEREAS IT IS PROPOSED** that the table of contents and contents of the document will be renumbered to reflect alphabetical and numerical sequencing to correctly reflect any additions and deletions.

**AND WHEREAS** copies of this bylaw and related documents were made available for inspection by the Public at the Municipal Office as required by the Municipal Government Act RSA 2000, Chapter M-26.

**AND WHEREAS** a public hearing with respect to this bylaw was held in the Council Chambers at the Town of Redcliff on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF REDCLIFF IN COUNCIL  
ASSEMBLED ENACTS AS FOLLOWS:**

1. This bylaw may be cited as the Town of Redcliff Land Use Amending Bylaw 1814/2015.
2. That the definition of "Redcliff Planning Board" be removed from Part 1 Number 7 Definitions.
3. That wording "in consultation with the Redcliff Planning Board," in Part VI, Land Use Bylaw Amendments Section 34(1) be removed.
4. That Part VI, Land Use Bylaw Amendments Section 35 (1) (b) which states "the Redcliff Planning Board" be removed.
5. That Part II, Administrative Duties and Responsibilities Section 11 be amended to include a new subsection 8
  - (8) The Commission is designated as the Subdivision Approving Authority in accordance with the Town of Redcliff Subdivision Approving Authority Bylaw and has the authority to exercise subdivision powers as outlined in the Town of Redcliff Subdivision Approving Authority Bylaw, the Act, this bylaw, and any other statutory provision or any Bylaw or Regulation as amended from time to time.

6. That the table of contents and contents of the document will be renumbered to reflect alphabetical and numerical sequencing to correctly reflect any additions and deletions.
7. This bylaw shall come into force on January 1, 2016.

**READ** a first time the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**READ** a second time the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**READ** a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**PASSED** and **SIGNED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MANAGER OF LEGISLATIVE  
AND LAND SERVICES



## Legislative & Land Services

### Planning & Development

Box 40, 1 – 3 Street NE

Redcliff, AB

T0J 2P0

Ph: 403-548-9231 / Fax: 403-548-6623

# CHECKLIST

## CHANGE OF USE/BUILDING APPLICATION

### • VERY IMPORTANT -- MUST READ:

- The information that is appropriate for your request may vary from others. This checklist is generic, and not all information may be applicable to your situation. Items that do not apply to your development mark as N/A, or note: Not Applicable.
- All information and documentation needs to be clear, legible and accurate. Hand drawn rough sketches, elevations, and/or site plans without any scale or dimensions cannot be used. They will be returned to you for correction.
- Please use a scale when doing any designs, plans, or elevations.
- The scale must be identified on the designs, plans, or elevations.
- **IMPORTANT:** Other permits or approval may be needed.
- If there are existing Land Use discrepancies or violations on site, these will need to be resolved prior to issuing the Development Permit.
- **The Development Authority reserves the right to ask for additional information to properly review the Development Permit Application.**

| Office                   | Applicant                | Required Items   |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <b>1. DEVELOPMENT PERMIT APPLICATION &amp; APPLICATION FEE</b>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>2. OWNER AUTHORIZATION</b> (If Applicant is not the Owner)  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>3. CURRENT COPY OF THE CERTIFICATE OF TITLE</b> (Not older than 90 days)                            |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>4. SITE PLANS</b> (2 sets) to be scaled and dimensioned   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>5. FLOOR PLANS</b> (2 sets) when applicable – to be scaled and dimensioned                          |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>6. ELEVATIONS</b> (2 sets) when applicable – to be scaled and dimensioned                           |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>7. WRITTEN ARRATIVE DESCRIPTION OF THE PROPOSAL</b> – identify current use & identify proposed use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>8. PARKING DESIGN</b> (2 sets) when applicable – to be scaled and dimensioned                       |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>9. STORM WATER &amp; SITE GRADING PLANS</b> (2 sets) when applicable – to be scaled and dimensioned |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>10. LANDSCAPING PLANS</b> (2 sets) when applicable – to be scaled and dimensioned                   |

Applicant's Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_

Received and checked by: \_\_\_\_\_ Date: \_\_\_\_\_