

**TOWN OF LEGAL  
BY LAW # 06-2019  
DEVELOPMENT AUTHORITY BYLAW**

**A BYLAW IN THE TOWN OF LEGAL IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING THE DEVELOPMENT AUTHORITY OF THE TOWN OF LEGAL.**

**WHEREAS**, Section 624 of the Municipal Government Act, R.S.A. 2000, c.M-26, as amended (the "Act") requires that a Municipal Council establish a Development Authority by bylaw;

**NOW, THEREFORE**, Council of the Town of Legal, duly assembled, enacts as follows:

**1.0 NAME**

- 1.1 This bylaw may be cited as the "Development Authority Bylaw".

**2.0 DEFINITIONS**

- 2.1 "Act" means the Municipal Government Act, R.S.A. 2000, c.M-26 as amended;
- 2.2 "Council" means the Council of the Town of Legal for the time being elected pursuant to the provisions of the Act, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the Act;
- 2.3 "Development Authority" means the person(s) established under Section 3 herein to perform the functions of the development authority under the Act;
- 2.4 "Development Authority Officer" means the person(s) occupying the position established under Section 4.0 herein;
- 2.5 "Intermunicipal Subdivision and Development Appeal Board" means the Board established to hear development and subdivision appeals pursuant to the Intermunicipal Subdivision and Development Appeal Board Bylaw of the Town of Legal.
- 2.6 "Regulations" means the Subdivision and Development Regulations, AR 43/2002, as amended, and proclaimed pursuant to the Act.

**3.0 ESTABLISHMENT OF DEVELOPMENT AUTHORITY**

- 3.1 The Development Authority is hereby established.
- 3.2 The Development Authority shall be:
- 3.2.1 one (1) person appointed by resolution of Council annually at the Council Organizational meeting.
- 3.3 If the appointed person shall die, retire or resign, another person may be appointed by resolution of Council.
- 3.4 Council may remove the person from the position of Development Authority by resolution at any time.
- 3.5 In the absence of the Development Authority, the Development Authority Officer shall assume the duties in accordance with Section 210 of the Act.

**4.0 ESTABLISHMENT OF DEVELOPMENT AUTHORITY OFFICER**

- 4.1 The position of Development Authority Officer for the limited purpose of exercising the powers, duties and functions of a Development Authority Officer is hereby established.
- 4.2 The Development Authority Officer shall be appointed by resolution of Council each year at the Organizational meeting as required.
- 4.3 The powers, duties and functions of the Development Authority Officer shall be those described for the Development Authority Officer in the Land Use Bylaw of the Town of Legal and such additional powers, as are described under the Act, the Regulations and this Bylaw.
- 4.4 The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.
- 4.5 The Development Authority Officer shall have the same responsibility as the Development Authority as listed in Section 6.0 of this bylaw.

**5.0 FEES**

- 5.1 The fees payable to the Development Authority for all manner of applications, activities and approvals within the preview of the Development Authority may be set by bylaw.

**6.0 RESPONSIBILITIES AND FUNCTIONS**

- 6.1 The powers, duties and functions of the Development Authority shall include and are described in the Land Use Bylaw of the Town of Legal and such additional powers, as are described under the Act, the Regulations or this Bylaw.
- 6.2 The Development Authority shall ensure statutory notices and decisions are provided to such persons as the Act and the Regulations require.
- 6.3 The Development Authority may make rules as are necessary for the conduct of its business that are consistent with this Bylaw, the Town of Legal Land Use Bylaw, and the Act.
- 6.4 The Development Authority may approve an application for development approval even though the proposed subdivision does not comply with the Land Use Bylaw of Town of Legal if, in its opinion;
  - 6.4.1 the proposed development would not:
    - i. unduly interfere with the amenities of the neighbourhood; or,
    - ii. materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
  - 6.4.2 the proposed development conforms with the use prescribed for that land in the Land Use Bylaw of Town of Legal.
- 6.5 The Development Authority may approve or refuse an application for development approval.
- 6.6 A decision of the Development Authority must be given in writing to the applicant, persons and local authorities to whom the Development Authority is required by the Regulations to give a copy of the application.
- 6.7 A decision of the Development Authority must state if an application for development approval is refused, the reasons for the refusal and to notify the applicant of the appeal process.

**7.0 SEVERABILITY**

- 7.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

**8.0 EFFECTIVE DATE**

- 8.1 This Bylaw shall come into force and take effect on the date of third and final reading.
- 8.2 Bylaw #04-1996 is hereby repealed.

READ A FIRST TIME THIS 2 DAY OF July, 2019.

  
\_\_\_\_\_  
Mayor


  
\_\_\_\_\_  
Chief Administrative Officer

READ A SECOND TIME THIS 2 DAY OF July, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

READ A THIRD TIME THIS 2 DAY OF July, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer