

### **Policy statement**

Leduc County adheres to the *Municipal Government Act (MGA)* and provides a consistent and transparent process for the extension of subdivision endorsement.

This policy establishes the standards for verifying that a request for subdivision extension complies with all applicable federal and provincial statutes, regulations, licenses, codes, and standards of practice, in addition to County policies, procedures, and requirements.

### **Definitions**

*Administration* means the staff of Leduc County under the direction of the county manager.

*Approved Statutory Plan* means a Statutory Plan adopted by Leduc County Council under the provisions of the *Municipal Government Act*.

*Council* means the duly elected council of Leduc County.

*County* means the municipal district of Leduc County in the Province of Alberta.

*Development Agreement* means an agreement that a landowner enters into with the County pursuant to the *MGA*.

*Endorsement* means the final County approval of a subdivision once all the conditions are complete to the County's satisfaction.

### **Policy authority**

*Legislative implications:*

- S. 657 (5) of the Municipal Government Act dictates that the subdivision approval is void if the plan of subdivision or other instrument is not registered in a land titles office within one year after the date on which it is endorsed.
- S. 657 (6)(b) of the Municipal Government Act enables the municipality to grant extensions for a one-year period.

### **Policy standards**

1. The county manager, or their designate, is authorized to approve extension requests to the one-year subdivision endorsement period in the following circumstances:
  - Where the request is accompanied by the required fee as set out in the Fees and Charges Bylaw approved by Council.
  - Where the applicant/landowner has provided a written response clearly outlining the reasons in support of the extension request.
  - Where there has not been a substantive change to an approved statutory plan (MDP, ASP, etc.), Land Use Bylaw, policy or a change to provincial legislation, that renders the existing approval not in alignment with the approved statutory plan.

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- Where the extension is for a maximum of one (1) additional one-year period for a total approval period of two (2) years from the date on which the original decision was made by the appropriate authority.
2. Administration will refer an extension request to Council if the request does not meet the requirements of this policy.
  3. Requests to extend the one-year endorsement period will not be supported in the following circumstances:
    - Where there has been a substantive change to a statutory plan (MDP, ASP, etc.), Land Use Bylaw, policy or a change to provincial legislation, that renders the existing approval not in alignment with the approved statutory plan.
    - Where the applicant/landowner has not provided a written response clearly outlining the reasons for support of the extension request and is not present at the Council meeting at which the request is considered.
    - Where the request is made more than three (3) years from the date on which the original decision was made, unless the County is satisfied that the applicant has been actively working towards satisfying each condition attached to the subdivision approval. “Actively working” shall include the execution of a *Development Agreement*.

### **Policy responsibilities**

#### *Council responsibilities:*

Council will,

- Be responsible for the adoption or repeal of this policy and approving any major revisions to the policy.

#### *Administration responsibilities:*

Administration will,

- Be responsible for the development, implementation, and monitoring of this policy.
- Review this policy so that it complies with all current, relevant legislation, and municipal policies.

### **Monitoring and updating**

- This policy will be posted on Leduc County’s website.
- This policy will be reviewed at least once every four years.