



POLICY

POLICY NO:	620	APPROVAL DATE:	April 23, 2018
TITLE:	Subdivision Time Extensions	REVISION DATE:	
SECTION:	Lands, Roads and Buildings	PAGE	1 OF 5
DEPARTMENT:	Engineering Services		

POLICY STATEMENT

Section 657(6) of the Act authorizes Council to grant Subdivision Time Extensions. Council has, by Bylaw, delegated this authority to Subdivision Authority Officers, and has provided Subdivision Authority Officers with the discretion to refer Subdivision Time Extension requests to the Infrastructure & Protective Services Committee for decision.

Council recognizes the need for a consistent approach in processing Subdivision Time Extension requests. It wishes to establish a framework for this process and to provide direction to Subdivision Authority Officers and the Infrastructure & Protective Services Committee regarding the exercise of their delegated discretion to evaluate, and decide upon, Subdivision Time Extension requests.

REASON FOR POLICY

This Policy is to establish a framework for the City's Subdivision Time Extension evaluation process and, in particular, to:

- detail the roles and powers of Subdivision Authority Officers and the Infrastructure & Protective Services Committee with respect to Subdivision Time Extensions;
- impose requirements related to the submission of Subdivision Time Extension requests and payment of fees by Applicants; and
- establish rules for the evaluation of Subdivision Time Extension requests by Decision Makers.

DEFINITIONS

1. In this Policy:
 - (a) “**Act**” means the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended or repealed and replaced from time to time;
 - (b) “**Applicant**” means a person who requests a Subdivision Time Extension;
 - (c) “**City**” means the City of Grande Prairie;

- (d) “**Council**” means the municipal Council of the City of Grande Prairie;
- (e) “**Decision Maker**” means, in the case of a Subdivision Time Extension request being decided by a Subdivision Authority, the Subdivision Authority Officer, and, in the case of a Subdivision Time Extension Request that has been referred to the Infrastructure & Protective Services Committee for decision pursuant to this Policy, the Infrastructure & Protective Services Committee;
- (f) “**Fees Bylaw**” means the City’s Planning & Development and Engineering Services Fees and Charges Bylaw C-1325, as amended or repealed and replaced from time to time;
- (g) “**Infrastructure & Protective Services Committee**” means the Infrastructure & Protective Services Committee of the City of Grande Prairie;
- (h) “**Regulation**” means the *Subdivision and Development Regulation*, Alta Reg 43/2002, as amended or repealed and replaced from time to time;
- (i) “**Subdivision Authority Bylaw**” means the City’s Subdivision Authority Bylaw C-1323, as amended or repealed and replaced from time to time;
- (j) “**Subdivision Authority Officer**” means the person or persons appointed by resolution of Council, as contemplated by the Subdivision Authority Bylaw C-1323;
- (k) “**Subdivision Endorsement Period**” means the one-year period referred to in Section 657(1) of the Act, within which a plan of subdivision must be submitted for endorsement;
- (l) “**Subdivision Registration Period**” means the one-year period referred to in Section 657(5) of the Act, within which a plan of subdivision must be registered in a Land Titles Office; and
- (m) “**Subdivision Time Extension**” means an extension of a Subdivision Endorsement Period or Subdivision Registration Period pursuant to Section 657(6) of the Act.

DECISION MAKER: SUBDIVISION AUTHORITY OFFICER & INFRASTRUCTURE & PROTECTIVE SERVICES COMMITTEE

- 2. Subject to Section 3 of this Policy, Subdivision Authority Officers shall evaluate, and render decisions regarding, Subdivision Time Extension requests.
- 3. A Subdivision Authority Officer may, in his or her discretion, refer any request for a Subdivision Time Extension to the Infrastructure & Protective Services Committee for evaluation and decision.

SUBMISSION OF REQUEST & PAYMENT OF FEES

4. An Applicant requesting a Subdivision Time Extension shall submit a request in writing, in a form acceptable to the Decision Maker, that:
 - (a) identifies the subdivision approval to which the Subdivision Time Extension request relates;
 - (b) lists the conditions of the subdivision approval have been satisfied and the conditions that remain outstanding;
 - (c) outlines the reasons for the Subdivision Time Extension request, including the reasons for any delays affecting the endorsement or registration of the subdivision; and
 - (d) is accompanied by any further information and documentation requested by the Decision Maker to assist in the evaluation of the Subdivision Time Extension request.
5. An Applicant shall pay all fees, set out in the Fees Bylaw, that are applicable to the Subdivision Time Extension request.
6. For greater certainty, and without limiting the generality of Section 5 of this Policy, in the event that a Subdivision Time Extension request is circulated pursuant to Section 9 of this Policy, the Applicant shall pay any fee applicable to circulation of the request that is set out in the Fees Bylaw.

EVALUATION CRITERIA

7. A Decision Maker shall not grant a request for a Subdivision Time Extension unless:
 - (a) the request, in the opinion of the Decision Maker, meets all requirements of Section 4 of this Policy;
 - (b) all applicable fees contemplated by Sections 5 and 6 of this Policy have been paid in full by the Applicant;
 - (c) the Decision Maker is satisfied that the land to be subdivided remains suitable for the purpose for which the subdivision is intended; and
 - (d) the Decision Maker is satisfied, upon consideration of relevant factors and criteria, that the facts and circumstances favour the granting of the Subdivision Time Extension.
8. For the purposes of Section 7(d) of this Policy, relevant factors and criteria to be considered by the Decision Maker include, but are not limited to, the following:
 - (a) City Planning Documents: whether there has been a change to a statutory plan, City Land Use Bylaw C-1260, or other City planning document or policy that, in the opinion of the Decision Maker, renders the subdivision in question improper or inappropriate;

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- (b) Legislation: whether there has been a change to the Act, Regulation or other enactment that, in the opinion of the Decision Maker, renders the subdivision in question improper or inappropriate;
 - (c) Environmental: whether there have been changes to applicable environmental enactments, rules or policies that, in the opinion of the Decision Maker, render the subdivision in question improper or inappropriate;
 - (d) Levies: the applicability of off-site levies, and other planning and development levies, to the subdivision in question, as well as any changes to enactments, Bylaws or Policies that impact the amount of levies payable in respect of the subdivision;
 - (e) Reserve Land: in cases where the subdivision approval in question provides for payment of money in lieu of reserve land, whether there has been a change in land values that would affect the amount payable;
 - (f) Servicing and Construction: whether there have been changes to relevant utility requirements or City design and construction standards that impact the subdivision in question;
 - (g) Progress and Status: if applicable, the extent to which the conditions of subdivision approval have been satisfied, the extent to which the Applicant has demonstrated progress in satisfying outstanding subdivision approval conditions and the extent to which servicing of the subdivision has proceeded;
 - (h) Estimated Time Frame: whether there is an estimated date by which endorsement of the plan of subdivision or registration of the plan of subdivision, as the case may be, will be possible, and whether such estimated date is reasonable in the circumstances;
 - (i) Impact on Adjacent Subdivisions or Developments: whether there have been subsequent subdivision approvals or development approvals that rely upon the completion of the subdivision or which would be negatively impacted if an extension request were denied;

CIRCULATION AND DECISION

- 9. The Decision Maker may, in its discretion, circulate copies of a Subdivision Time Extension request to any persons or entities that should, in the opinion of the Decision Maker, have notice of the Subdivision Time Extension request, which may include, without limiting the generality of the foregoing, any person or entity to which applications for subdivision approval may be referred pursuant to the Regulation.
- 10. Subject to the application for the Subdivision Time Extension being completed in accordance with Section 4(d), a decision on a request for a Subdivision Time Extension shall be made within the time period specified in Section 6 of the Subdivision and Development Regulation, AR 43/2002, unless the Applicant and the Decision Maker agree otherwise.

RESPONSIBILITIES

Council will review and approve any revisions to this Policy.

City Manager will review and approve any procedures related to this Policy.

City Administration will carry out the Policy based on established Procedures.