POLICY PD-021

Extension of Subdivision Endorsement and Registration Periods

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Title of Policy:	Extension of Subdivision Endorsement and Registration Periods	Council Res. Number:	16-11
Prepared By:	Planning and Development Services	Effective Date:	January 25, 2011
References:	*Municipal Government Act* *Chief Administrative Officer (CAO) Bylaw*	Previous Revision Date:	December 14, 2004 (Res. No. 520-04)

PURPOSE

This Policy outlines the instances where the Chief Administrative Officer (CAO), or the CAO's delegate, may support extension requests to the one-year Subdivision Endorsement and Registration period.

POLICY STATEMENT

Pursuant to Section 657(6) of the Municipal Government Act, the Council of Parkland County has authority to grant time extensions to the one-year Subdivision Endorsement and Registration Period. Under authority of Section 203 of the Municipal Government Act, County Council delegates its authority to grant these extensions to the Chief Administrative Officer (or the CAO's delegate) by virtue of the Chief Administrative Officer (CAO) Bylaw.

DEFINITIONS

1. "May" means discretionary compliance or a choice in applying policy.

2. "Registration Period" is the one-year term in which the plan of subdivision or other instrument is submitted to the Registrar for registration at a land titles office.

3. "Shall" means mandatory compliance.

4. "Subdivision Endorsement Period" is the one-year term in which the developer must satisfy all conditions attached to the condition approval for subdivision as established under Section 657.

SCOPE

This Policy applies to all subdivision time extension and registration period extension requests received by Parkland County.

RESPONSIBILITIES

The Manager of Planning and Development Services is responsible for the development, implementation, monitoring and evaluation of this Policy.

STANDARDS

1. Council authorizes the Chief Administrative Officer (CAO), or his designate, to approve extension requests to the one-year Subdivision Endorsement and Registration Periods in the following circumstances:

    a. Where the request is accompanied by a satisfactory application form and required fee as set out in the Fees and Charges Schedule approved by Council as part of the Capital and Operating Budget. Fees for extension requests shall be reviewed annually to reflect current trends in administrative costs.

    b. Where the applicant/landowner/developer has provided a written response clearly outlining the reasons in support of extension request.

    c. Where the developer can reasonably demonstrate that the developer has been actively working towards satisfying each condition attached to the subdivision approval. Reasonable in the instance of a multi-parcel subdivision approval shall include: the negotiation/execution of a Development Agreement, working towards receiving approval from Engineering Services regarding detailed engineering design drawings, and/or commencement/status of ongoing construction.

    d. Where there has not been a substantive change to a County Statutory Plan (MDP, ASP, etc.), Land Use Bylaw, or policy, or a change to provincial legislation, that renders the existing approval inadequate or inappropriate.

    e. The Chief Administrative Officer (or the CAO's delegate) may support up to an additional yearly extension request for a maximum of two (2) additional one-year periods for a total approval period of three (3) years from the date on which the original decision was made by the appropriate authority.

        i. The Chief Administrative Officer (or the CAO's delegate) may refer any earlier extension request to Council for a decision if there is uncertainty as to whether the extension request meets the requirements of this policy.

    f. Any time extension request beyond the total three (3) year period may be referred to Council for a decision.

    g. The CAO, or his designate, shall provide Council an update on decisions rendered under this policy as agreed upon between the CAO and Council on a regular basis.

2. The CAO, or his designate, shall <u>not</u> support and <u>not</u> approve extension requests to the one-year Subdivision Endorsement and Registration periods in the following circumstances:

    a. Where the subdivision application is flawed/inappropriate (i.e. is contrary to sound planning principles or established County policies) and/or

    b. Was approved by the Municipal Government Board.