



# TOWN POLICY

## COUNCIL POLICY:

# Subdivision Extension Approval Policy

**POLICY NUMBER: S-65**

**RESOLUTION NUMBER: 14-177**

**ADOPTED: December 9, 2014**

**UP FOR REVIEW: February 4, 2030**

### **Policy Statement:**

This policy is designed to provide a consistent approach in evaluating subdivision extension approvals.

Under the Subdivision and Development Authority Bylaw No. 1478 the Municipal Subdivision and Development Authority is the subdivision authority for all subdivisions within the Town of Cardston.

The Municipal Subdivision and Development Authority will be the authority to grant extensions to a subdivision approval.

The Subdivision and Development Authority will use the following information to make an informed decision on all subdivision extension requests.

### **Financial Implications**

Changes in off-site levy rates would allow some subdivisions that have been extended to pay the lower rates from previous Off-site Levy Bylaws. This would reduce the amount of money available for the construction and upgrading of off-site infrastructure and shift the burden to other properties that still have off-site levies owing.

Subdivision approvals are required to meet all conditions of approval within one year of approval. If subdivision approvals are not completed in a timely manner while Town Policies or development charges are subsequently amended there is an increasing likelihood that the subdivision will no longer align with Town Policy and may no longer reflect a fair contribution to development charges. If this is the case, the extra burden will be shifted to other properties or entities in the Town.

### **Environmental Considerations**

There is a possibility that environmental regulations or policies may change over time. Subdivision approvals that have not proceeded in a timely manner may be out of alignment with such changes and may benefit from further review to ensure that the public interest has been fully considered.

### **Background, Rationale, Analysis**

Under the Subdivision and Development Authority Bylaw No. 1478 it does not state how many times a subdivision can be extended. Section 657(6) of the Municipal Government Act (MGA) does not specifically place a limitation on the number of extensions that can be granted for a subdivision application.





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In some cases, due to a variety of legitimate reasons, it is not possible to get a plan registered within this time frame and a request is made by the applicant or their agent to have the approval extended. The following criteria shall be used when considering an extension request:

- Has the applicant shown demonstrable progress in meeting the conditions of approval of the subdivision?
- Has there been any subsequent Municipal Development Plan or Area Structure Plan amendments since the time of the original approval?
- Has there been any changes in Municipal Servicing Standards since the time of the original approval?
- Has there been any Land Use Bylaw amendments since the original approval?
- Has there been any subsequent or related subdivision approvals that affect the subject approval?
- Relevance of conditions attached to original approval, including reserve dedication?
- Has there been any changes in off-site levy rates?
- Has there been a downturn in the local economy?
- Has there been any changes to the lands subject of the subdivision application?

The previously noted criteria would ensure that all extensions are reviewed in a consistent manner and the applicant is aware of the rationale behind a decision. By using these measures the Subdivision & Development Authority can take into account decisions that have been made since the application was originally approved and what impacts there may be when reviewing an extension request. As well, if there were events that happened beyond an applicant's control, these are also taken into account.

The Subdivision and Development Authority may provide extensions as long as a favorable determination can be made in view of the criteria. The Authority will review each subdivision extension individually and determine if it meets the criteria to be eligible for an extension.

## **Implementation Plan**

It is intended that this procedure will be effective upon approval of the Policy by resolution of Council. Staff will meet with affected stakeholders to advise them of this updated procedure.

Review with Municipal Subdivision and Development Authority to utilize the evaluation criteria when considering requests for subdivision extensions.

Send copy of motion either approving or denying the extension request to Oldman River Regional Service Commission.

