

BYLAW NO. 1123-18
BEING A BYLAW OF
MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA

TO AMEND THE
MACKENZIE COUNTY LAND USE BYLAW
TO AMEND THE DEVELOPMENT PERMIT APPEAL PERIOD
IN SECTION 5.8.5, 5.15.4, AND 6.3.2.

WHEREAS, Mackenzie County has a Municipal Development Plan adopted in 2009, and

WHEREAS, Mackenzie County has adopted the Mackenzie County Land Use Bylaw in 2017, and

WHEREAS, the Council of Mackenzie County, in the Province of Alberta, has deemed it desirable to amend the Mackenzie County Land Use Bylaw Sections 5.8.5, 5.15.4 and 6.3.2, in accordance with the Municipal Government Act increasing the development permit appeal period from fourteen days (14) days to twenty one (21) days subject to public hearing input.

NOW THEREFORE, THE COUNCIL OF THE MACKENZIE COUNTY, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

1. That Mackenzie County Land Use Bylaw Section 5.8.5 Permitted Use, with a Variance, or Discretionary Use Development Permits be amended with the following change in accordance with Municipal Government Act:
 - 5.8.5 A DEVELOPMENT PERMIT issued for a PERMITTED USE requiring a variance or a DISCRETIONARY USE does not come into effect until twenty one (21) days after a notice of decision appears in a local newspaper and provided no appeal has been received against the development.
2. That Mackenzie County Land Use Bylaw Section 5.15.4 Subdivision and Development Permit Appeals, Procedure for Appeals be amended with the following change in accordance with Municipal Government Act:
 - 5.15.4 A DEVELOPMENT appeal to a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD is to be commenced by filing a notice of the appeal, containing reasons, to the Clerk of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD or INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD within twenty one (21) days in the case of an appeal by:

- a. The applicant after:
 - i. The date the applicant is notified of the decision; or
 - ii. If no decision is made on the DEVELOPMENT PERMIT application within forty (40) days of the application being made or the date that period of any extension of it expires.
 - b. A person affected, after the date on which the COUNTY publishes notice of the DEVELOPMENT PERMIT decision in a newspaper circulating in the COUNTY.
3. That Mackenzie County Land Use Bylaw Section 6.3.2 Non-Compliance be amended with the following change in accordance with Municipal Government Act:
- 6.3.2 A person whose DEVELOPMENT PERMIT is cancelled, suspended or modified under this Subsection may appeal to the SDAB in accordance with Section 5.15 twenty one (21) days of notice of such action.

READ a first time this 13th day of November, 2018.

PUBLIC HEARING held this 11th day of December, 2018.

READ a second time this 11th day of December, 2018.

READ a third time and finally passed this 11th day of December, 2018.

(original signed)

Joshua Knelsen
Reeve

(original signed)

Lenard Racher
Chief Administrative Officer