

## **BYLAW No. 1110/LUO/2026**

### **A BYLAW FOR THE TOWN OF FAIRVIEW IN THE PROVINCE OF ALBERTA,**

#### **FOR THE PURPOSE OF ESTABLISHING A MUNICIPAL PLANNING COMMISSION BYLAW**

**Whereas,** pursuant to the provisions of the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000, Chapter M-26, and amendments thereto, Council may may, by bylaw, establish a Municipal Planning Commission; and

**NOW THEREFORE,** under the authority of the *Municipal Government Act*, the Council of the Town of Fairview, duly assembled, enacts as follows:

#### **1. Title**

1.1. This bylaw shall be cited as the “Municipal Planning Commission Bylaw”.

#### **2. Definitions**

- 2.1. “Act” means the Municipal Government Act, RSA 2000, c M-26, and amendments thereto.
- 2.2. “Chair” or “Vice Chair” means the person appointed as Chair or Vice Chair of the Municipal Planning Commission.
- 2.3. “Commission” means the Municipal Planning Commission.
- 2.4. “Council” means the duly elected Council members of the Town of Fairview.
- 2.5. “Development Officer” means a person appointed by Council, or a person delegated by the Chief Administrative Officer (CAO) to exercise development powers and duties on behalf of the Town of Fairview.
- 2.6. “Land Use Bylaw” means the Town of Fairview Land Use Bylaw, and amendments thereto.
- 2.7. “Secretary” means the person appointed to act as Secretary of the Municipal Planning Commission.
- 2.8. “Town” means the municipality of the Town of Fairview having jurisdiction under the Municipal Government Act and other applicable legislation.
- 2.9. All other terms used in this Bylaw shall have the meaning assigned to them by the Municipal Government Act, to the extent that said meaning differs from the ordinary meaning of such terms.

#### **3. Appointment**

- 3.1. The Commission shall consist of a maximum of five (5) members appointed by resolution of Council, as follows:
  - 3.1.1. two (2) members of Council; and
  - 3.1.2. three (3) members at large.
- 3.2. Appointments shall be for a term of three (3) years.
- 3.3. A member of the Commission shall not be:

- 3.3.1. a person who exercises development or subdivision powers, duties, or functions on behalf of the Town of Fairview; or
- 3.3.2. a member of the Subdivision and Development Appeal Board.
- 3.4. Chair and Vice Chair appointments shall held by members of Council appointed at the annual organizational meeting of Council, or as otherwise required.
- 3.5. Where a member of Council is appointed as a member of the Commission, the appointment terminates upon the member ceasing to be a member of the Council.
- 3.6. A member may be reappointed upon the expiry of their term.
- 3.7. Each member of the Commission holds office at the pleasure of Council and may be removed from office by Council at any time.
- 3.8. A member may resign at any time by providing written notice to the CAO.
- 3.9. A member absent from three (3) consecutive meetings without approval of the of the Commission shall be deemed to have resigned.
- 3.10. Vacancies shall be filled by resolution of Council.

#### **4. Chair or Vice Chair**

- 4.1. The Chair shall preside over meetings of the Commission. The Vice-Chair shall preside at meetings of the Commission in the absence or attendance by electronic means of the Chair.
- 4.2. If both the Chair and Vice-Chair are absent or attending by electronic means, the members present (constituting quorum) shall appoint an acting Chair.
- 4.3. The Commission may request for Council to rescind the appointment of the Chair or Vice-Chair at any time.

#### **5. Meetings**

- 5.1. The Commission shall hold meetings as required, at the request of the Development Officer or as often as it deems necessary and may also hold special meetings at any time at the call of the Chair.

#### **6. Quorum**

- 6.1. Three (3) members of the Commission constitute a quorum.

#### **7. Decisions**

- 7.1. Only Members of the Commission who are present at a meeting, whether in person or by electronic means, may vote on any matter before the Commission.
- 7.2. A member of the Commission who is unable to attend all or part of any meeting at which an application for a development permit is considered shall not participate in the deliberations or decision of the Commission upon that application.

- 7.3. A decision supported by a majority of the Members attending a meeting duly convened shall be deemed the decision of the Commission. In the event of a tie vote, the motion is defeated.
- 7.4. The Development Officer for the Town of Fairview shall serve as an advisor to the Commission.
- 7.5. Where necessary, the Commission may invite other persons to meetings in an advisory capacity, however such persons shall not vote or participate in the decision of the Commission.
- 7.6. A Member of the Commission shall not vote on any matter in which they have a pecuniary interest, personal bias, or conflict of interest, as determined in accordance with the applicable provisions of the *Municipal Government Act*.
- 7.7. Where a Member of the Commission is not entitled to vote pursuant to section 7.6, that Member shall disclose the general nature of the pecuniary interest prior to consideration of the matter and shall not participate in the discussion, voting, or disposition of the matter. The Member's abstention shall be recorded.
- 7.8. The Commission shall provide its decision in writing for planning applications referred to it by the Development Officer. Where the Commission refuses an application, the decision must include the reasons for refusal.
- 7.9. Decisions of the Commission shall be recorded on the applicable development permit.

## **8. Powers of the Commission**

- 8.1. The Commission or Designated Officer shall perform such functions as conferred upon it by Council and as are authorized by the *Municipal Government Act* and Land Use Bylaw.
- 8.2. Without limiting the generality of section 8.1, the Commission shall:
  - 8.2.1. make decisions respecting applications for development permits for those classes of applications specified in the Land Use Bylaw.
- 8.3. Where a matter is referred to the Commission, it may advise Council or inform the subdivision approving authority on any subdivision proposals within or near the Town of Fairview.

## **9. Secretary**

- 9.1. The Secretary shall be an employee of the Town of Fairview.
- 9.2. The Secretary shall attend all meetings and hearings of the Commission but shall not vote on any matters before the Commission.
- 9.3. The Secretary shall:
  - 9.3.1. provide notice of meetings;
  - 9.3.2. prepare and maintain minutes and records of all meetings;
  - 9.3.3. provide written notice of decisions and reasons as directed by the Commission;

- 9.3.4. notify the Council of the decisions of the Commission.
- 9.3.5. maintain records including: a register of development applications and decisions;
- 9.3.6. ensure administrative compliance with Commission requirements; and
- 9.3.7. perform other duties assigned by the Commission.

**10. Severability**

- 10.1. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed.

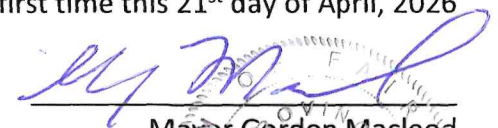
**11. Repeal**

- 11.1. Bylaw No. 701/D&P/87 and all amendments thereto are hereby repealed

**12. Effective Date**

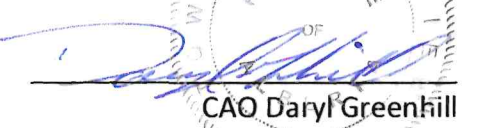
- 12.1. This Bylaw shall come into force and effect upon third and final reading and is duly signed.

Read a first time this 21<sup>st</sup> day of April, 2026




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Mayor Gordon Macleod





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CAO Daryl Greenhill

Read a second time this 21<sup>st</sup> day of April, 2026


COUNCIL UNANIMOUSLY MOVED TO PROCEED WITH A THIRD READING

Read a third time this 21<sup>st</sup> day of April, 2026




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Mayor Gordon Macleod




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CAO Daryl Greenhill