

**Bylaw 30-2021 A Bylaw to Revise Bylaw 15-2021 North of Yellowhead Area Concept Plan****Report Purpose**

To seek three readings of Bylaw 30-2021, a bylaw to revise Bylaw 15-2021 in accordance with section 63 of the Municipal Government Act.

**Recommendation**

1. THAT Bylaw 30-2021, a bylaw to revise Bylaw 15-2021 in accordance with section 63 of the *Municipal Government Act*, be given first reading.
2. THAT Bylaw 30-2021 be given second reading.
3. THAT Bylaw 30-2021 be considered for third reading.
4. THAT Bylaw 30-2021 be given third reading.

**Our Prioritized Strategic Goals**

Governance Requirement

**Report**

Council gave third reading to Bylaw 15-2021, the North of Yellowhead Area Concept Plan, on May 25, 2021. The preamble of that bylaw indicates that the intent is to repeal the existing area structure plan and adopt a new area structure plan for the North of Yellowhead area. Unfortunately, Administration made a typographical error in section 2 of that bylaw. Specifically, the text "Bylaw 43-2013" should have been "Bylaw 46-2013". Administration sincerely apologizes to Council for this oversight and the inconvenience it has caused.

The *Municipal Government Act*, RSA 2000, c M-26 ("MGA") includes specific provisions that enable this type of error to be corrected. Section 63 of the MGA provides that Council may, by bylaw, revise a bylaw for certain purposes. Section 63(2)(g) states that a bylaw under that section may make changes, without materially affecting the bylaw in principle of substance, (i) to correct clerical, technical, grammatical or typographical errors in a bylaw, (ii) to bring out more clearly what is considered to be the meaning of a bylaw, or (iii) to improve the expression of the law.

The MGA provides that the title of a revised bylaw must include the words "revised bylaw" and that the chief administrative officer must certify in writing that the proposed revisions were prepared in accordance with section 63 before the bylaw is given first reading. This responsibility has been delegated to the Director of Legislative and Legal Services. A copy of that certificate is included as Enclosure 2 to this report.

Section 65 of the MGA provides that a bylaw made in accordance with section 63 of the MGA and the resulting revised bylaw are deemed to have been made in accordance with all the other requirements of the MGA respecting the passing and approval of those bylaws, including any requirements for advertising and public hearings. Accordingly no advertising or public hearing is required for the proposed bylaw that corrects this error.

Proposed Bylaw 30-2021 is included as Enclosure 1. Administration requests that Council enable the correction of this error by giving three readings to Bylaw 30-2021.

**Council and Committee History**

May 25, 2021	Council gave Bylaw 15-2021 third reading.
May 18, 2021	Council gave Bylaw 15-2021 first and second reading.

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Associate Commissioner: Grant Heer, Corporate Services and Stacy Fedechko, Infrastructure and Planning Services

Lead Department: Legislative and Legal Services

**Other Impacts****Policy:** n/a**Legislative/Legal:** Section 63 of the MGA provides a council of a municipality may, by bylaw, revise any of its bylaws or any one or more provisions of them in accordance with this section.**Interdepartmental:** Legislative and Legal Services, Planning and Development Services**Master Plan/Framework:** n/a**Enclosures**

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|---|---------------|
| 1 | Bylaw 30-2021 |
| 2 | Certificate   |