

Title: SDAB Meeting Procedures

Policy No: 6006

Effective Date:

Motion Number:

Supersedes Policy No: 6006

Department: Planning & Development Services

Review Date:



Legal References:

Municipal Government Act, R.S.A. 2000, c. M-26

Matters Related to Subdivision and Development Regulation, AR 84/2022.

Cross References:

Bylaw 22-916 “Subdivision and Development Appeal Board Bylaw”

Bylaw 20-855 “Advertising Bylaw”

Bylaw 18-800 “Land Use Bylaw”

Bylaw 799 “Land Use Bylaw” – Grande Cache

Bylaw 95-159 “Development Authority”

Bylaw 95-158 “Subdivision Authority”

Purpose: To establish guidelines on the recording of proceedings of the Subdivision and Development Appeal Board (SDAB) meetings.

1. DEFINITIONS

- 1.1. **Appellant** means a person or persons who, pursuant to the Act, has served a notice of appeal on the Subdivision and Development Appeal Board.
- 1.2. **Chair** means the member who is elected by the Subdivision and Development Appeal Board to preside over their meetings.
- 1.3. **Greenview** means the Municipal District of Greenview No. 16.
- 1.4. **Land Use Bylaw (LUB)** means Greenview’s Land Use Bylaw.
- 1.5. **Member** means a person duly appointed by Council pursuant to the Subdivision and Development Appeal Board Bylaw.
- 1.6. **Municipal Government Act (MGA)** means the Municipal Government Act, R.S.A. 2000 c. M-26, as amended.
- 1.7. **Subdivision and Development Appeal Board (SDAB)** means the board established by the SDAB Bylaw to hear and make decision on appeals.
- 1.8. **Subdivision and Development Appeal Board Clerk (Clerk)** means a person appointed to the Clerk position established under the SDAB Bylaw.

2. POLICY STATEMENT

- 2.1. The SDAB will adhere to all Greenview record retention policies and bylaws.
 - A) All notifications for meetings for the SDAB will be conducted as required within the MGA.
 - B) If a member cannot attend a meeting, that member is required to notify Administration of their absence so it can be determined if a quorum will be present.
 - C) Meetings are open to the public.
 - D) Deliberations are closed to the public.
 - E) A Record of Proceedings will be kept of each meeting, which outlines the attendance, facts, and happenings that SDAB's decision.
 - F) The SDAB's final decision must be rendered within the time limits as set out in the MGA and will be recorded as part of the Record of Proceedings.
 - G) The Record of Proceedings will be signed by the Chair. It is not necessary for the Record of Proceedings to be adopted at a subsequent meeting.
 - H) The Record of Proceedings will be filed on the appropriate land file with all supporting documentation.
 - I) Quorum will consist of a majority of SDAB Members.

3. PROCEDURE

- 3.1. At the start of the SDAB hearing, the Chair shall be elected by majority vote of SDAB members. A member may be re-elected to the position of Chair. The Chair shall preside at this meeting of the SDAB.
- 3.2. Each member of the SDAB will be given the opportunity to disqualify themselves from hearing the case if they believe there is a conflict of interest or pecuniary interest.
- 3.3. Each appellant will be asked if they have any objection to the membership on the SDAB hearing their case and reasons. Any affected SDAB members will then decide if they will choose to hear the matter.
- 3.4. The Clerk will review the advertising method(s) for the SDAB hearing in accordance with required legislation.
- 3.5. The Clerk introduces the case and reads the letter of appeal submitted to the SDAB.
- 3.6. The Chair will outline the procedure and rules to be followed and shall:
 - A) Recognise all persons present;
 - B) Identify each presenter, their organization (if any), and their legal location;
 - C) Limit a presenter if they become repetitive;
 - D) Have all SDAB member questions directed through the Chair;
 - E) Not permit questions from the floor;
 - F) Not permit any audio or video recording of the hearing; and
 - G) Call breaks during the hearing at their own discretion.
- 3.7. The Manager of Planning and Development, or designate, will explain the background of the appeal.
- 3.8. Comments received from referral agencies will be reviewed and presented by the Clerk.
- 3.9. Each appellant will be called upon to explain why they have appealed the decision. The order of presentations will be based on the order the appeals were received by Greenview. The

SDAB members will be allowed to ask questions of any or all the appellants or to direct any other person to answer the question.

- 3.10. Written presentations that have been received by Greenview before the advertised deadline that are in favour of the appeal may be read by the Clerk, at the discretion of the Chair.
- 3.11. Individuals present that wish to speak in favour of the appeal will then be given the opportunity to present their case. Following any speaker, the SDAB members are given an opportunity to ask questions or to direct any other person to answer the question.
- 3.12. Written presentations that have been received by Greenview before the advertised deadline that are against the appeal may be read by the Clerk, at the discretion of the Chair.
- 3.13. Individuals present that wish to speak against the appeal will then be given the opportunity to present their case. Following any speaker, the SDAB members will be given an opportunity to ask questions.
- 3.14. Each appellant will be given the opportunity to summarize their case and answer any questions the SDAB may ask.
- 3.15. The Chair will then ask each appellant if they feel they have had a fair and impartial hearing. The Chair will then bring the hearing to an end, and notify those present that a written decision will be made within 15 days.
- 3.16. The Chair will declare the hearing closed and no further submissions will be heard.