



TOWN OF SMOKY LAKE  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 018-2020

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A BYLAW OF THE MUNICIPALITY OF THE TOWN OF SMOKY LAKE IN THE PROVINCE OF ALBERTA BEING A BYLAW OF THE TOWN OF SMOKY LAKE TO ESTABLISH THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD FOR THE TOWN OF SMOKY LAKE.

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**WHEREAS** Section 627 of the *Municipal Government Act*, as amended, required that a Municipal Council establish a Subdivision and Development Appeal Board by Bylaw.

**WHEREAS** the subdivision and development appeal board is authorized to render decisions on appeals resulting from decisions of a subdivision authority or a development authority in accordance with the South Saskatchewan Regional Plan, the Subdivision and Development Regulation, the local land use bylaw and statutory plans;

**NOW THEREFORE** the Council of the Town of Smoky Lake, in the Province of Alberta, hereby enacts as follows:

1. This Bylaw may be known as the Town of Smoky Lake "Subdivision and Development Appeal Board Bylaw".

2. **DEFINITIONS**

The following words and phrases mean:

- 2.1. "**Act**" means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
- 2.2. "**Adjacent Lands**" means land that is contiguous to a site and includes land that would be contiguous if not for a public roadway, river, stream, pipeline, powerline, utility right of way or railway, and any other land defined as adjacent in the Land Use Bylaw.
- 2.3. "**Appellant**" means a person who, pursuant to the Act, has served a Notice of Appeal, with reasons, with the Subdivision and Development Appeal Board.
- 2.4. "**Board**" means the Town of Smoky Lake Subdivision and Development Appeal Board.
- 2.5. "**Chief Administrative Officer**" means the person, also known as the "CAO", appointed by Council to the position of Chief Administrative Officer under the *Municipal Government Act* for the Town of Smoky Lake.
- 2.6. "**Council**" means the Mayor and Councillors duly elected in the Town of Smoky Lake and who are eligible to continue to hold office.
- 2.7. "**Development Application**" means an application made to the Development Authority in accordance with the Land Use Bylaw for the purpose of obtaining a Development Permit.
- 2.8. "**Development Authority**" means the authority established by Council, as provided for in Part 17 of the Act, to exercise development powers and duties on behalf of the municipality.
- 2.9. "**Development Permit**" means a document authorizing a development, issued in accordance with the Land Use Bylaw, the Subdivision and Development Regulations and the Act.
- 2.10. "**Hearing**" means Hearing of the Subdivision and Development Appeal Board for the Town of Smoky Lake where the business of the Board is conducted.
- 2.11. "**Land Use Bylaw**" means the Land Use Bylaw of the Town of Smoky Lake, pursuant to the Act.

- 2.12. **“Member at Large”** means a member or members of the public appointed to the Board by Council, pursuant to this Bylaw.
- 2.13. **“Owner”** means the person shown as the owner of the land on the Municipality’s assessment roll prepared in accordance to the Act.
- 2.14. **“Subdivision Application”** means an application made to the Subdivision Authority in accordance with the Act, the Subdivision and Development Regulations and the Land Use Bylaw, for the purposes of obtaining a Subdivision Approval.
- 2.15. **“Subdivision Approval”** means a subdivision document authorizing the subdivision of a parcel of land in accordance with the Act, the Subdivision and Development Regulations and the Land Use Bylaw.
- 2.16. **“Subdivision Authority”** means the authority established by Council, as provided for in Part 17 of the Act, to exercise subdivision powers and duties on behalf of the municipality.
- 2.17. **“Subdivision and Development Appeal Board Clerk”** means the person appointed to the position established under Section 5 of this Bylaw.
- 2.18. **“Subdivision and Development Regulations”** means the regulations enacted pursuant to Section 694 of the Act, including the Subdivision and Development Regulations and the Subdivision and Development Forms Regulations.
- 2.19. For questions of clarity, definition, or interpretation, it is the intent of this Bylaw to refer to the Town of Smoky Lake Procedural Bylaw 014-19 or its subsequent equivalent.

3. **ESTABLISHMENT AND MEMBERSHIP**

- 3.1. The Town of Smoky Lake Subdivision and Development Appeal Board is hereby established.
- 3.2. The Board shall deal with Subdivision and Development Appeals in accordance with the provisions of the Act and this Bylaw.
- 3.3. The Board shall consist of five (5) Members at Large, appointed by Council resolution.
- 3.4. Each Member shall be appointed annually at the Organizational Meeting or from time to time should vacancies occur.
- 3.5. No person who is an employee of the Town, or who serves as the Development Authority or the Subdivision Authority for the Town of Smoky Lake, shall be appointed as a member of the Board.
- 3.6. Any Member of the Board may be removed by resolution of Council where, in the opinion of Council, that Member has contravened the standards as set out in **Schedule A** of this Bylaw.
- 3.7. Any Member of the SDAB shall not participate in a Hearing of the Board unless the Member is qualified to do so in accordance with the Regulations made under Section 627.3(b) of the Act.

4. **CHAIRPERSON**

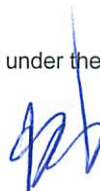
- 4.1. The Chairperson:
  - 4.1.1. shall preside at the Hearings of the Subdivision and Development Appeal Board.



- 4.1.2. Shall ensure that all Hearings for the Board are conducted in a fair and impartial manner, in accordance with the rules for such Hearings as set out in the Act or established by Council from time to time;
    - 4.1.3. is authorized to rule that evidence presented at a Hearing is irrelevant to the matter in issue and to direct the Members to disregard the evidence;
    - 4.1.4. may limit a submission if they determine it to be repetitious; and
    - 4.1.5. shall, when a Hearing is recessed and time is not fixed for its continuation, announce that notice of the continuation of the Hearing will be sent to those persons leaving their name and address with the Clerk. Only those persons leaving their name and address shall be entitled to notice of the continuation of the Hearing.
  - 4.2. In the event of absence or inability of both the Chairperson to preside at a Hearing, the members present constituting a quorum shall elect one of its Members to preside as Acting Chairperson for that Hearing.
5. **CLERK**
- 5.1. The Subdivision and Development Appeal Board Clerk shall be appointed by resolution of Council and shall not be a Member of the Board, nor act as a Development Authority Officer, or the Subdivision Authority for the municipality.
  - 5.2. The Clerk must be qualified by having successfully completed the training requirements pursuant to Section 627.1(4) of the Act.
  - 5.3. The Clerk shall have responsibilities and functions including the following:
    - 5.3.1. ensures that all statutory requirements of the Board are met;
    - 5.3.2. receives Notices of Appeals;
    - 5.3.3. schedules Hearings;
    - 5.3.4. sends Notices relating to Hearings;
    - 5.3.5. answers inquiries and provides information to Appellants and the public, including making public all relevant documents and materials respecting an Appeal;
    - 5.3.6. compile all necessary documentation for distribution to Board Members;
    - 5.3.7. attends Hearings and keeps a written record of the proceedings of the Board which shall include:
      - 5.3.7.1. a summary of the evidence presented at the Hearing;
      - 5.3.7.2. the Decision of the Development Authority or Subdivision Authority;
      - 5.3.7.3. the Notice of Appeal and the Notice of Hearing of the Appeal;
      - 5.3.7.4. the Board's Decision on each Appeal;
      - 5.3.7.5. the reasons for the Board's Decision on each Appeal;
      - 5.3.7.6. draft the Decision for signing by the Chairperson and
      - 5.3.7.7. a list of names and addresses of persons who leave their names on the attendance record.
6. **OPERATION OF THE BOARD**



- 6.1. The Board shall hold Hearings as necessary in accordance with the Act to consider and decide Appeals filed with the Board, in accordance with the requirements of the Act.
- 6.2. A quorum of the Board shall be three (3).
- 6.3. A Member who for any reason is unable to attend the whole of the Hearing of an Appeal, shall not participate in the Board's deliberations or the decision made by the Board on that Appeal.
- 6.4. If a Member has any interest, whether direct or indirect, in any matter before the Board, the Member shall declare such interest to the Board before discussion of the matter, and shall not participate in the Hearing, or discuss or vote upon the matter, and such abstention shall be recorded in the minutes.
- 6.5. The Board shall sit with a maximum of five (5) members at any Hearing but may sit with fewer members than the maximum in accordance with the provisions of this Bylaw.
- 6.6. Any order, decision, approval, notice or other things, made, given or issued by the Board shall be signed on its behalf by the Chairperson
7. **FEES AND EXPENSES**
  - 7.1. Remuneration for mileage, meals, and other expenses of the Members of the Board and Clerk, shall be established by Council.
  - 7.2. The fees associated with the launching of Appeals, holding of Hearings, and Hearings of the Board shall be established by the **Fees and Charges Policy A-01-19** (or its equivalent).
8. **DEVELOPMENT APPEALS**
  - 8.1. Subject to Section 685(3) of the Act, the Board shall hear appeals where the Development Authority for the Town of Smoky Lake:
    - 8.1.1. refuses or fails to issue a Development Permit to a person;
    - 8.1.2. issues a Development Permit subject to conditions; or
    - 8.1.3. issues an Order under Section 645 of the Act;provided appeals from the Applicant are received within the required time and in the manner indicated in the Act.
  - 8.2. Subject to Section 685(2) of the Act, any person affected by an Order, Decision or Development Permit made or issued by the Development Authority may appeal to the Board, provided appeals are received within the required time and in the manner indicated in the Act.
  - 8.3. Despite 8.1 and 8.2, no appeal lies in respect of the issuance of a Development Permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.
  - 8.4. The Board shall hold an Appeal Hearing respecting any Development Appeal within 30 days of receipt of the Notice of Appeal.
  - 8.5. The Board shall give at least 5 days notice in writing of the Appeal Hearing to:
    - 8.5.1. the Appellant;
    - 8.5.2. the Development Authority whose order, decision or development permits is the subject of the appeal;
    - 8.5.3. the owners required to be notified under the Land Use Bylaw; and



- 8.5.4. any other person or persons that the Board considers to be affected by the appeal.
- 8.6. The Clerk shall make available for public inspection, prior to the Hearing, all relevant documents and materials respecting the Appeal, including:
  - 8.6.1. The Application for the Development Permit, the Decision and the Notice of Appeal; or
  - 8.6.2. The Order under Section 645 of the Act.
- 8.7. In accordance to the Act, the Board shall hear:
  - 8.7.1. The Appellant or any person acting on his/her behalf;
  - 8.7.2. The Development Authority from whose Order, Decision or Development Permit the appeal is made or a person acting on behalf of the Development Authority;
  - 8.7.3. Any other person who was served notice of the Hearing and who wishes to be heard or a person acting on his/her behalf; and
  - 8.7.4. Any other person who claims to be affected by the Order, Decision or Permit and that the Board agrees to hear or person acting on behalf of that person.
- 8.8. The Board shall hold all Hearings in public, but the Board may recess or close the Hearing at any time and deliberate.
- 8.9. At the Hearing of the Appeal, should the Board request further technical information, a legal opinion or other assistance, it may recess the Hearing pending receipt of such information.

**9. DEVELOPMENT APPEALS DECISIONS**

- 9.1. In determining an Appeal, the Board:
  - 9.1.1. shall comply with the Land Use Policies established pursuant to Section 622 of the Act;
  - 9.1.2. shall comply with any statutory plans and, subject to 9.1.5 of this Bylaw, the Land Use Bylaw of the Town of Smoky Lake;
  - 9.1.3. shall have regard to but not be bound by the Subdivision and Development Regulations established pursuant to Section 694 of the Act;
  - 9.1.4. may confirm, revoke or vary the Order, Decision or Development Permit or any condition attached to any of them or make or substitute an Order, Decision or Permit of its own;
  - 9.1.5. may make an Order, Decision or issue or confirm the issue of the Development Permit even through the proposed development does not comply with the Land Use Bylaw if, in its opinion:
    - 9.1.5.1. the proposed development would not:
      - 9.1.5.1.1. unduly interfere with the amenities of the neighbourhood; or
      - 9.1.5.1.2. materially interfere with or affect the use, enjoyment or value of the neighbouring parcels of land; and
    - 9.1.5.2. the proposed development conforms with the use prescribed for that land or building in the Land Use Bylaw.



9.2. The Board must give its Decision in writing, together with reasons for the Decision, within fifteen (15) days after concluding the Hearing.

**10. SUBDIVISION APPEALS**

10.1. Subject to Sections 678 of the Act, the Board shall hear appeals of decisions of the Subdivision Authority for the Town of Smoky Lake, provided an appeal is received within the time limitations and in the manner indicated in the Act.

10.2. The Board shall hold a Hearing respecting any Development Appeal within 30 days of receipt of the Notice of Appeal.

10.3. The Board shall give at least 5 days notice in writing of the Hearing to:

10.3.1. the Applicant for subdivision approval;

10.3.2. the Subdivision Authority that made the decision;

10.3.3. any school board to whom the application for subdivision was referred;

10.3.4. every Government department that was given a copy of the Application for subdivision approval pursuant to the Act and Subdivision and Development Regulations; and

10.3.5. if the land that is the subject of the Application for subdivision approval is adjacent to the boundaries of another municipality, that municipality.

10.4. The Clerk shall make available for public inspection, prior to the Hearing, all relevant documents and materials respecting the Appeal.

10.5. In accordance to the Act, the Board hearing the Appeal is not required to hear from any other person or entity other than:

10.5.1. a person or entity that was notified under Section 10.3 of this Bylaw, and

10.5.2. each owner of adjacent land to the land that is the subject of the Appeal;

10.5.3. or a person acting on any of those persons' behalf.

10.6. Letters previously submitted to the Subdivision Authority will not become part of the Hearing, unless resubmitted for the Hearing. The writer of the letter must be identified by name on the document.

10.7. The Board shall hold all Hearings in public, but the Board may recess the Hearing at any time and deliberate.

10.8. At a Hearing, should the Board request further technical information, a legal opinion, or other assistance, it may recess the Hearing pending receipt of such information.

**11. SUBDIVISION APPEALS DECISIONS**

11.1. In determining an Appeal, the Board:

11.1.1. must be consistent with the Land Use Policies established pursuant to Section 622 of the Act;

11.1.2. must conform with the uses of land referred to in the Land Use Bylaw of the Town of Smoky Lake;

11.1.3. must have regard to any statutory plan;

11.1.4. shall have regard to but not be bound by the Subdivision and Development Regulations established pursuant to Section 694 of the Act;

11.1.5. may confirm, revoke or vary the approval or decision or any condition imposed by the Subdivision Authority or make or substitute an approval, decision or condition of its own;

11.1.6. may, in addition to the other power it has, exercise the same power as a Subdivision Authority is permitted to exercise pursuant to the Act or Subdivision and Development Regulations or Bylaws passed under Part 17 of the Act.

11.2. After hearing all submission and rebuttals, the Board shall deliberate and reach its Decision in private.

11.3. The Board must give its Decision in writing, together with reasons for the Decision, within fifteen (15) days after concluding the Hearing.

**12. GENERAL**

12.1. The Decision of the majority of the Members of the Board present at a Hearing shall be deemed to be the Decision of the whole Board. In the event of a tie vote, any motion before the Board shall be deemed to be defeated.

12.2. A Board Member, who for any reason is unable to attend the entire hearing of an Appeal, shall not participate in the Board's deliberations for the Decision made by the Board on that Appeal.

12.3. A verbal decision is not final and binding, until the Decision has been written, signed, and publicly released to the relevant parties.

12.4. The Decision of the Board shall be signed by the Chairperson who presided at the Hearing at which the Decision was made.

12.5. The Clerk shall send the written Decision and reasons in accordance with the Act to the Applicant, the Appellant and those affected persons who gave their name and address to the Clerk during the Hearing.

12.6. The Clerk shall make and keep a written record of the Board's proceedings which may be in the form of a summary of the evidence presented at the Hearing.

12.7. In the event that an Appellant withdraws their appeal prior to the commencement of that Hearing, the Board will not proceed with the Hearing.

12.8. Any fees taken relating to an appeal shall not be returned or refunded.

**13. SEVERABILITY**

It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw is deemed valid and enforceable.

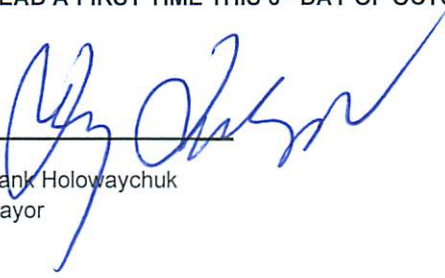
**14. REPEAL AND EFFECTIVE DATE**

13.1. Bylaw 683-95 shall be repealed upon the passing of this Bylaw.

13.2. This Bylaw shall come into force and effect on the final date of passing thereof.

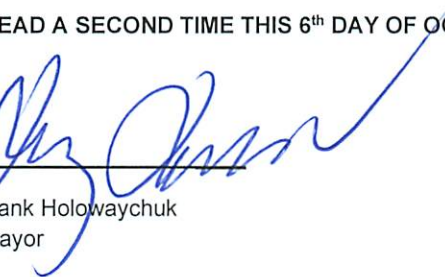


READ A FIRST TIME THIS 6<sup>th</sup> DAY OF OCTOBER, 2020.

  
\_\_\_\_\_  
Hank Holowaychuk  
Mayor

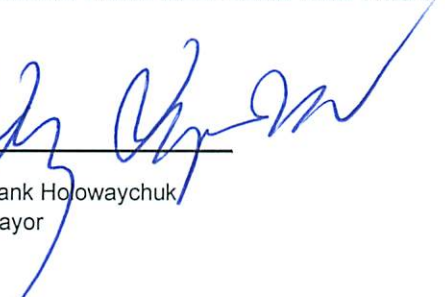
  
\_\_\_\_\_  
Adam Kozakiewicz  
Chief Administrative Officer

READ A SECOND TIME THIS 6<sup>th</sup> DAY OF OCTOBER, 2020.

  
\_\_\_\_\_  
Hank Holowaychuk  
Mayor

  
\_\_\_\_\_  
Adam Kozakiewicz  
Chief Administrative Officer

READ A THIRD AND FINAL TIME THIS 6<sup>th</sup> DAY OF OCTOBER, 2020.

  
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Hank Holowaychuk  
Mayor

  
\_\_\_\_\_  
Adam Kozakiewicz  
Chief Administrative Officer







## SCHEDULE A

### SUBDIVISION AND DEVELOPMENT APPEAL BOARD MEMBERS RULES FOR CONDUCT

1. For the purpose of this Schedule, the following terms shall have the same meaning as in Section 169 of the Act:
  - 1.1. "Corporation", "Director", "Distributing Corporation", "Officer", "Stakeholder", "Voting Rights" and "Spouse"
2. For the purpose of this Schedule, the term "Member's Family" shall have the same meaning as the term "Councillor's Family" under Section 169 of the Act.
3. No Member shall participate in the Hearing of any matter before the Board in which the Member has a pecuniary interest.
4. A Member has a pecuniary interest in a matter if:
  - 4.1. The matter could monetarily affect the Member or an employer of the Member; or
  - 4.2. The Member knows or ought to know the matter could monetarily affect the Member's family.
5. For the purposes of Section 3, a Member is monetarily affected by a matter if the matter monetarily affects:
  - 5.1. The Member directly;
  - 5.2. A corporation, other than distributing corporation, in which the person is a shareholder, director or officer;
  - 5.3. A distributing corporation in which the Member beneficially owns voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which the Member is a director or officer; or
  - 5.4. A partnership or firm of which the Member is a member.
6. For the purposes of determining whether a Member has a pecuniary interest in the matter before the Board, the provision of Section 170(3) of the Act shall apply, substituting the term "Member" for the term "Councillor".
7. Where a Member has a pecuniary interest of the matter before the Board, that Member shall:
  - 7.1. Disclose the nature of the pecuniary interest to the Chair and Clerk of the Board;
  - 7.2. Abstain from participating in the Hearing of the matter;
  - 7.3. Abstain from any discussion of voting on the matter; and
  - 7.4. Be absent from the room in which the appeal is heard, except to the extent that the Member is entitled to be heard before the Board as an appellant or a person affected by the matter before the Board.
8. Where Council becomes aware of a breach of these provisions by a Member of the Board, Council shall review the facts of the case and decide as to whether the Member, in the opinion of Council, has breached pecuniary interest provisions of this Schedule.
9. Where, after its review pursuant to Section 8, Council determines that a breach of pecuniary interest provisions has occurred; Council may remove the Member from the Board, in



accordance with the provisions for appointment and removal of a Member in the Subdivision and Development Appeal Board Bylaw.

10. A Member of the Board shall:

- 10.1. Not discuss any matter under appeal with any party to that appeal, outside of the formal hearing process.
- 10.2. Keep in camera discussions of Board and the Committees, and any legal advice provided to the Board or Committees confidential, except where required to disclose that information by law; and
- 10.3. Attend all Board Hearings to which he or she has been assigned.

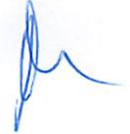
11. Where Council has reasonable grounds to believe that a Member has breached any of the provisions in Section 10, Council may remove that Member from the Board in accordance with the provisions for appointment and removal of a Member in the Subdivision and Development Appeal Board Bylaw.




**SCHEDULE B**

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)  
CHAIRPERSON'S PROCEDURAL NOTES**

<b>CALL THE HEARING TO ORDER</b>	<i>I call this Hearing of the Subdivision and Development Appeal Board to Order.</i>
<b>ADOPT AGENDA</b>	<i>Are there any additions/deletions/changes to the Agenda?  Can I have a motion to adopt the Agenda? All in favor?</i>
<b>CHAIRPERSON/BOARD INTRODUCTION</b>	<i>Welcome to this hearing for the Subdivision and Development Appeal Board. My name is _____ and I will preside over this/these hearing(s). All questions and comments shall be directed through me.  The members sitting on this board today are: (board introductions)</i>
<b>OBJECTIONS TO BOARD?</b>	<b>To Appellant:</b>  <i>Do you have any objection to any of the present Board members hearing this appeal?</i>  <b>To Audience:</b>  <i>Does anyone in the audience affected by this appeal have any objection to any of the present Board members hearing this appeal?</i>
<b>REQUEST FOR ANY NEW WRITTEN MATERIALS</b>	<ul style="list-style-type: none"> <li>• <i>Requests for postponement may be made at any time during the hearing.</i></li> <li>• <i>The Board would also like to confirm with affected parties present that all written materials, documents and other written communications have been provided to the Secretary in advance of this hearing for inclusion into the hearing package provided to the Board and available for public inspection.</i></li> <li>• <i>Is there any party in the audience who plans to present any written materials or documents that have not been provided to the Secretary and that would not be contained in the hearing package? If so, please provide them to the Secretary before your presentation so that they may be circulated.</i></li> </ul>
<b>RECORD OF PROCEEDINGS</b>	<i>Chairperson advises that the <b>PROCEEDINGS WILL BE RECORDED</b> for accuracy of the decision. After the decision of the Board has been made, the recording will be destroyed.</i>

<p><b>OUTLINE HEARING PROCESS</b></p>	<p>The order of presentation for the hearing is as follows:</p> <ul style="list-style-type: none"> <li>• Secretary introduces appeal.</li> <li>• Development Authority/Subdivision Authority presentation.</li> <li>• Appellant presentation.</li> <li>• Persons supporting Appellant.</li> <li>• Applicant presentation.</li> <li>• Persons opposing appeal.</li> <li>• Questions from either part.</li> <li>• Questions from Board members.</li> <li>• Summary (closing remarks) from the parties.</li> <li>• The Board will have an opportunity following each of the presentations just listed to ask questions of the presenter.</li> <li>• When speaking, please face the Chairperson and address the Board. Start with your name and address for the record and then make your presentation.</li> <li>• Please note that the Board will be making its decision based on the information provided during this Hearing so if you would like to have something considered, ensure that it is brought up during this hearing.</li> <li>• We can accept any evidence we think is proper but there are limitations. If the evidence is relevant to proper planning, we listen. If it is irrelevant to proper planning, we should not hear it. If we hear it, we have to mention that it did not influence us, or a Court could say that the Board was influence by something that had nothing to do with the issue.</li> <li>• Once we are done receiving presentations and rebuttals from all parties, we will proceed with the hearing "in camera" to deliberate and decide on this matter.</li> <li>• A written decision with reasons will be provided within 15 days of the closing of the hearing.</li> </ul>
<p><b>CONFIRM THE HEARING PROCESS</b></p>	<p>Does the <b>appellant</b> have any concerns with the process I have outlined?</p> <p>Does anyone in the <b>audience</b> have any concerns with the process as outlined?</p>
<p><b>READING IN TO RECORD</b></p>	<p>The Secretary shall now read in to record the written letters of appeal to the Board.</p> <p>Do the Board Members have any questions or concerns with the submission of the applicant or supporting letters opposing the appeal?</p>
<p><b>DEVELOPMENT/SUBDIVISION AUTHORITY PRESENTATION</b></p>	<p><b>Chairperson:</b> I now call upon the Development Authority/Subdivision Authority to make their presentation.</p> <p><b>To Board (after presentation):</b> Does the Board have any questions for clarification?</p>

<b>CALL FOR APPELLANT TO COME FORWARD</b>	<p><i>Will the Appellant please come forward to the presentation table, introduce him/her self and state their address for the record?</i></p> <p><input type="checkbox"/> <b>Chairperson:</b> <i>When you speak, please <b>SPEAK INTO THE MICROPHONE</b> in front of you. Ensure <b>ALL QUESTIONS OR COMMENTS</b> are directed to me.</i></p>
<b>APPELLANT PRESENTATION</b>	<p><b>Chairperson:</b> <i>The Appellant may now proceed to make his/her presentation.</i></p> <p><b>To Board:</b> <i>Does the Board have any questions for clarification from the appellant?</i></p> <p><b>Chairperson:</b> <i>Is there anyone in the audience who wishes to speak <u>in support</u> of the appeal? Would you please come forward and introduce yourself to the Board and outline how you are affected? You may make your presentation after introducing yourself to the board with your name and address.</i></p>
<b>CALL FOR APPLICANT TO COME FORWARD</b>	<p><i>Will the Applicant please come forward to the presentation table, introduce him/her self and state their address for the record?</i></p> <p><input type="checkbox"/> <b>Chairperson:</b> <i>When you speak, please <b>SPEAK INTO THE MICROPHONE</b> in front of you. Ensure <b>ALL QUESTIONS OR COMMENTS</b> are directed to me.</i></p>
<b>APPLICANT PRESENTATION</b>	<p><b>Chairperson:</b> <i>The Applicant may now proceed to make his/her presentation.</i></p> <p><b>To Board:</b> <i>Does the Board have any questions for clarification from the applicant?</i></p> <p><b>Chairperson:</b> <i>Is there anyone in the audience who wishes to speak <u>against</u> the appeal? Would you please come forward and introduce yourself to the Board and outline how you are affected? You may make your presentation after introducing yourself to the board with your name and address.</i></p>
<b>BOARD QUESTIONS</b>	<p><b>To Board:</b> <i>Does the Board have any questions for clarification from any party?</i></p>
<b>OTHER QUESTIONS</b>	<p><b>To the audience:</b> <i>Does any person who has presented have any questions for clarification of any other presenter?</i></p>
<b>FINAL COMMENTS</b> – following all submissions	
<b>DEVELOPMENT/SUBDIVISION AUTHORITY FINAL COMMENTS</b>	<p><i>Does the Development/Subdivision Authority have any final comments?</i></p>
<b>OTHER PERSONS' FINAL COMMENTS</b>	<p><i>Does the appellant have any final questions?</i></p> <p><i>Does the applicant have any final questions?</i></p>
<b>BOARD'S FINAL COMMENTS</b>	<p><i>Does the Board have any final questions?</i></p>
<b>FAIR HEARING?</b>	<p><b>Ask the persons who have made representations:</b></p> <p><i>Does everyone present believe that they have had a fair hearing?</i></p> <p><b><i>If "no" then ask for reasons or questions to the board or any other person.</i></b></p>

<b>CLOSING THE HEARING</b>	<b>Chairperson:</b> <i>This hearing is now closed.</i>  <i>The SDAB wishes to advise that it is unable to receive any further written or verbal submissions now that the Hearing is closed.</i>  <i>In accordance with Provincial legislation, the Board is required to hand down a decision within 15 days from the date of today's hearing. You may phone the Secretary about the decision; however, no decision is binding on the Board until it issues a written decision.</i>  <i>Applicant/Appellant if you could please wait for 10 minutes or so while the board deliberates to ensure that the board doesn't have any further questions. Thank you.</i>
<b>BOARD DECISION</b>	Board deliberates and makes decision in camera.
<b>CLOSE THE HEARING</b>	Chairperson declares the Hearing closed at _____ p.m.

