BYLAW 1900-18
OF THE
CITY OF WETASKIWIN
IN THE PROVINCE OF ALBERTA
(Consolidated Office Version – Updated October 27, 2026)

BEING A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA TO ESTABLISH THE SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

WHEREAS Section 627 of the Municipal Government Act requires the establishment of a Subdivision and Development Appeal Board;

NOW THEREFORE the Municipal Council of the City of Wetaskiwin, in the Province of Alberta, duly assembled, enacts as follows:

1. This bylaw may be referred to as the "Subdivision and Development Appeal Board Bylaw".

2. Definitions:
   - 2.1 "Act" means the Municipal Government Act, R.S.A. 2000, c.M26, as amended;
   - 2.2 "Appeal" means an appeal of a decision of a Development Officer or a subdivision authority;
   - 2.3 "Appellant" means the person who appeals to the Board in accordance with the Act;
   - 2.4 "Applicant" means the person who applied for a development permit or for subdivision;
   - 2.5 "Board" means the Subdivision and Development Appeal Board established by this bylaw;
   - 2.6 "Clerk" means a person appointed as a clerk under section 627.1 of the 'Act'; *(BL 2114-26)*
   - 2.7 "City" means the corporate entity of the City of Wetaskiwin. *(BL 2114-26)*
   - 2.8 "City Manager" means the Chief Administrative Officer of the City of Wetaskiwin;
   - 2.9 "Council" means the duly elected members for the City of Wetaskiwin, being Mayor and Councillors; *(BL 2114-26)*
   - 2.10 "Development Officer" means a City employee who carries out development powers, duties, and functions;
   - 2.11 "Hearing" means a convening of the Board to hear a subdivision or development appeal;
   - 2.12 "Member" means a member of the Subdivision and Development Appeal Board;
   - 2.13 "Resident" means an individual whose primary residence is within the municipality in accordance with the Alberta Municipal Census Guidelines; *(BL 2114-26)*

3. Establishment: The Subdivision and Development Appeal Board is hereby established.

4. Purpose *(BL 2114-26)*
   - 4.1. The purpose of this bylaw is to:
     - 4.1.1 hear and decide upon appeals of decisions of the subdivision authority.
     - 4.1.2 hear and decide upon appeals of decisions of a Development Officer in respect to development permits and stop orders. *(BL 2114-26)*

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5. Membership
   5.1. The Subdivision and Development Appeal Board shall consist of:
      5.1.1. One (1) Council Member and one (1) alternate Council Member;
      5.1.2. Four (4) volunteer Members-at-Large; *(BL 2114-26))*

   5.2. Members-at-Large of the Board are to be appointed by Council resolution.

   5.3. City of Wetaskiwin staff, anyone who carries out subdivision or development duties on behalf of the City, and members of municipal planning commissions are ineligible to serve on the Board. *(BL 2114-26)*

   5.4. A vacancy on the Board may be filled by resolution of Council at any time.

   5.5. Preference for membership shall be as follows:
      5.5.1. Adult resident of the City of Wetaskiwin;
      5.5.2. Adult business or property owner in the City of Wetaskiwin; *(BL 2114-26)*
      5.5.3. Adult resident of the County of Wetaskiwin; *(BL 2114-26)*

   5.6. If any member misses three (3) consecutive hearings without the authorization of the Board, the member is disqualified and the position becomes vacant.
      5.6.1. The disqualified member may re-apply for Membership to the Board.

   5.7. Section 5.6 does not apply if the member in question is a Council Member.

6. Terms of Membership
   6.1. Each member of the Board can be appointed to a term of up to three (3) years, with exact terms being specified upon appointment to the Board;

   6.2. Members of Council are appointed to the Board during the annual Organizational Meeting of Council and shall remain on the Board for a period of one (1) year until the subsequent Annual Organizational Meeting.

   6.3. Each member of the Board shall take the prescribed training as required by the Act.

7. Quorum and Meeting Structure
   7.1. Members of the subdivision and development appeal board may meet in panels providing quorum is met. *(BL 2114-26)*
      7.1.1 Panels have any or all the powers, duties and responsibilities of the Board. *(BL 2114-26)*
      7.1.2 a decision of a panel is a decision of the Board. *(BL 2114-26)*

   7.2. Quorum for a panel at any hearing of the Board shall be a minimum of three (3) members and there must be quorum to proceed with any hearing. *(BL 2114-26)*

   7.3. Each panel must have one Council Member that has been appointed to the Board. *(BL 2114-26)*

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7.4. All panel members must vote. *(BL 2114-26)*

7.5. The hearing shall be held in public and structured as follows:

7.5.1. Call to Order (and selection of the Chair if necessary);
7.5.2. Introduction of members of the Board and the Clerk;
7.5.3. Deleted. *(BL 2114-26)*
7.5.4. Objections to the composition of the Board panel; *(BL 2014-22)*
7.5.5. Purpose of the hearing;
7.5.6. Procedures to be followed;
7.5.7. Clerk announces the appeal;
7.5.8. Presentations by the appellant and those opposing the appeal;
7.5.9. Rebuttal;
7.5.10. Further questions from Board members;
7.5.11. In-Camera deliberations;
7.5.12. Deleted *(BL 2014-22)*
7.5.13. Adjournment.
7.5.14. Issuance of written decision. *(BL 2014-22)*

7.6. At the hearing of the appeal, should the Board desire further technical information, legal opinions or other assistance, it may recess the hearing pending receipt of such information, opinion, or other assistance.

7.7. After all submissions and rebuttals, the Board shall deliberate and reach its decision in-camera. *(BL 2014-22)*

7.7.1. The decision of the board is not final or binding until written notice of the decision has been given.

7.7.2. In accordance with legislation the Board shall provide, within 15 days of the hearing, a written decision and reasons for the decision to the applicant, the appellant, and any affected persons who gave their name and address to the Clerk during the hearing. *(BL 2114-26)*

8. Role of the Chair

8.1. The Council Member appointed to the Board shall be the designated Chair for each hearing Panel, with the exception of CARB hearings. *(BL 2114-26)*

8.2. The Chair shall preside at hearings.

8.3. The Chair shall be the signatory of the written decision. *(BL 2114-26)*

9. Clerk of the Subdivision and Development Appeal Board

9.1. The Legislative Coordinator or trained designate is hereby appointed as a Designated Officer pursuant to the *'Act'*, and they shall act as the Clerk of the Board and shall exercise all the powers, duties, and functions of the Clerk pursuant to the Act. *(BL 1936-19; BL 2114-26)*

9.2. The Clerk shall maintain the prescribed training as required by the Act. *(BL 2114-26)*

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9.3. The Clerk shall:

9.3.1. Ensure that all statutory requirements of the Boards are met;

9.3.2. Receive all appeals;

9.3.3. Schedule and inform all affected parties of the appeal hearing;

9.3.4. Compile all necessary documents for distribution to the Board;

9.3.5. Keep a written record of the proceedings of the Board which shall include:

9.3.5.1. The decision of the Development or Subdivision Authority;

9.3.5.2. The written notice of the decision provided by the Development or Subdivision Authority to affected parties pursuant to the 'Act'; *(BL 2114-26)*

9.3.5.3. The Notice of Appeal and the Notice of Hearing;

9.3.5.4. The Board's decision on the appeal;

9.3.5.5. A summary of evidence presented at the hearing;

9.3.5.6. A list of names and addresses of persons who participated in person or in writing at the hearing; *(BL 2114-26)*

9.3.6 Communicate the decision of the Board to affected parties.

10. Code of Conduct

10.1 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 appeal, and shall not participate in the hearing, or discuss or vote upon the matter, and such abstention shall be noted in the record of the proceedings;

10.2 If an objection has been made to any member on the hearing Panel:

10.2.1 all board members present shall proceed to an in-camera discussion to decide if the objection is valid. If the objection is determined to be valid:

10.2.1.1 the panel member that has been objected to shall immediately remove themselves from the panel.

10.2.1.2 Such removal shall be noted in the record of proceedings.

10.2.2 If the removal of a panel member due to an objection should result in quorum no longer being met, the hearing shall be recessed until a suitable date can be agreed upon by all parties at which quorum can be met.

10.3 Any discussions that occur during an in-camera discussion shall remain confidential and not be discussed with the appellant or those opposing the appeal, with any of the affected persons of the hearings, City staff, or with members of the general public;

10.4 A decision of the majority of the Board shall be deemed the decision of the Board;

10.5 Deleted; *(BL 2014-22)*

11. Establishment of Fee Schedules

11.1 Any and all fees related to this Bylaw shall be listed in the Fees and Charges Bylaw. *(BL 1986-20; 2114-26)*

11.2 The appeal fee may be returned to the appellant should be Board deem it appropriate to do so.

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12. General

12.1 Bylaw 1777-11 is hereby repealed.

12.2 Bylaw 1900-18 shall take full force upon third and final reading of this bylaw.

Read a first time this 12th day of February, 2018.

Read a second time this 12th day of February, 2018.

Read a third time this 12th day of February, 2018.

ORIGINAL SIGNED
Mayor

ORIGINAL SIGNED
City Manager

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