

CITY OF CHESTERMERE

PROVINCE OF ALBERTA

BYLAW #016-19

A Bylaw of the City of Chestermere, in the Province of Alberta, to amend Subdivision and Development Appeal Board Bylaw (Bylaw 004-16).

WHEREAS Section 627 of the Municipal Government Act, RSA 2000, C. M-26 and amendments thereto requires the establishment of a Subdivision and Development Appeal Board for the City of Chestermere;

AND WHEREAS Section 145 and 628 of the said Act require Council to provide for the procedure and conduct and the functions and duties of a Subdivision and Development Appeal Board established by Council;

AND WHEREAS Council deems it desirable to amend Bylaw 004-16 being Subdivision and Development Appeal Board Bylaw.

NOW THEREFORE, The Council of the City of Chestermere, duly assembled, enacts as follows:

1. Section 4.3 is amended to read the following:
 - (3) The Subdivision and Development Appeal Board membership shall not exceed seven (7) members as follows:
 - (a) One Councilor;
 - (b) One alternate Councilor; and
 - (c) Six Citizen Representatives
2. Section 4.4 is amended to read the following:
 - (4) Each member of the Board shall be appointed for a term specified by resolution of Council, but in no case shall the appointment be for more than two (2) years. In some cases, SDAB members may be selected for subsequent two-year term.
3. Section 4.7 is amended to read the following:
 - (7) Quorum
 - (a) Quorum requires the attendance of the Chairperson or in the absence of the Chairperson, the Vice Chairperson.

(b) The presence of one Council member is required for quorum.

4. Section 4.11 is added to read the following:

(11) All Board members must successfully complete the mandatory training prior to sitting at and hearing any SDAB sessions.

(a) Any members that do not receive the Municipal Government Act mandated municipal training within the first six months of their term may be removed from the Board.

5. Section 4.12 is added to read the following:

(12) Any Board member that is absent for three or more hearings over their appointed term may be removed from the Board by Council resolution.

(a) This provision shall not pertain to Council members as this Bylaw only provides a minimum of one Council member to sit per hearing.

6. Section 4.13 is added to read the following:

(13) No Council member shall be the Chairperson or Vice-Chairperson.

7. Section 9.5.b is amended to read the following:

(b) Must act in accordance with any applicable ALSA (Alberta Land Stewardship Act) regional plan;

8. Section 11.3 is added to read the following:

(3) According to sections 170 to 173 of the MGA, if Council hears an appeal where a Councillor or their family has an economic interest in the outcome of the decision, the Councillor must declare the interest and must abstain from discussion or voting on the appeal. Typically, the Councillor will leave the room after declaring a conflict. Any declaration or action must be noted in the minutes.

The pecuniary interest rules under section 172 of the MGA may be used as a guideline for a SDAB Member.

10 This Bylaw comes into full force and takes effect on the date of third and final reading.

READ A FIRST TIME this 20th day of August 2019.

READ A SECOND TIME this 20th day of August 2019.

READ A THIRD TIME this 20th day of August 2019.

Resolution Numbers –



MAYOR



CAO