



Wood Buffalo  
TRIBUNALS

## Subdivision and Development Appeal Board

Conducted Electronically via MS Teams

March 11, 2021  
6:30 p.m.

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### Agenda

#### Public Participation for the March 11, 2021 Subdivision and Development Appeal Board Meeting

The Subdivision and Development Appeal Board will be holding a meeting on March 11, 2021 via electronic communications in accordance with the Meeting Procedures (COVID-19 Suppression) Regulation, Order in Council 99/2020.

- **To make a verbal presentation during the meeting via teleconference:**
  - Anyone wishing to make a verbal submission via teleconference during the meeting, must pre-register by 12:00 noon, March 11, 2021
  - To register, please email [sdab@rmwb.ca](mailto:sdab@rmwb.ca) or call 780-743-7001 with your name, the phone number that you will be dialing in from and an email address that you can be reached at prior to the meeting.
  - Each registrant will be given a maximum of **5 minutes** to address the Board.
  - All registrants will be emailed the details on how to participate prior to the start of the meeting.
  
- **To submit written comments for the Board's consideration:**
  - Anyone wishing to submit written comments regarding an agenda item may do so by emailing [sdab@rmwb.ca](mailto:sdab@rmwb.ca) before 6:30 p.m. Thursday March 11, 2021.
  - You must include your full name, and the matter on the Agenda that you wish to address.
  - Please note that all written submissions are public and will be shared with the Board verbally on the record for a maximum of 5 minutes.

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The personal information on this form is collected under the authority of Section 33 (a) & (c) of the Alberta Freedom of Information and Protection of Privacy Act. The personal information will be used as contact information. If you have any questions about the collection or use of this information contact the Chief Legislative Officer, Legislative Services, 7<sup>th</sup> Floor Jubilee Building, 9909 Franklin Ave. T9H 2K4, or call (780) 743-7001.

1. **Call to Order**

2. **Confirmation of Agenda**

3. **Record of Proceedings**

i. Subdivision and Development Appeal Board Meeting January 21, 2021

4. **Preliminary Hearing**

To determine a date, time and location for the merit hearing.

The Board will not be hearing any matters related to the merits of the Appeal at this hearing

1. SDAB 2021-001 Application No. 2018-SU-00011

Refusal of a Subdivision for a proposed tentative plan of subdivision to create two residential lots at:

9102 McPhee Street and 108 Cote Bay

(Lot 34, Block 36 Plan 192 0472) (Former Lot 1 Block 1 Plan 182 1793) (Subject Property) Lot 17, Block 4, Plan 974RS

**Adjournment**

**Record of proceedings of the Subdivision and Development Appeal Board hearing conducted Electronically via Microsoft Teams, in Fort McMurray, Alberta on January 21, 2021.**

**PRESENT:**

A. McKenzie, Chair  
A. Austin  
A. Crompton  
N. Mahgoub  
T. Tupper  
R. Wells

**Administration:**

H. Fredeen, Clerk, Subdivision and Development Appeal Board  
S. Soutter, Manager, Legislative Services

**1. CALL TO ORDER:**

H. Fredeen, Clerk, called the meeting to order at 6:30 p.m.

**2. AGENDA**

*Moved by A. Austin*

THAT the Agenda be adopted as presented.

**CARRIED UNANIMOUSLY**

**3. APPOINTMENT OF CHAIR**

*Moved by N. Mahgoub.*

THAT Alex McKenzie be appointed Chair of the Subdivision and Development Appeal Board for a term ending December 31, 2021.

**CARRIED UNANIMOUSLY**

Assuming of Chair

Chair, A. McKenzie assumed the Chair at 6:07 p.m.

**APPOINTMENT OF CHAIR AND VICE-CHAIR**

*Moved by T. Tupper*

THAT Rene Wells be appointed Chair of the Subdivision and Development Appeal Board for a term ending December 31, 2021.

**CARRIED UNANIMOUSLY**

#### **4. 2021 MEETING SCHEDULE**

*Moved by K. Carruthers*

THAT the regular Subdivision and Development Appeal Board meetings be held at 6:30 p.m. on the third Thursday of each month.

**CARRIED UNANIMOUSLY**

#### **5. ADOPTION OF CODE OF CONDUCT DECLARATION**

Board Members declared for the record that they have read and understand the Council Code of Conduct Bylaw No. 18/009 of the Regional Municipality of Wood Buffalo, and agreed to act in accordance and be bound by the Code

- Alethea Austin
- Katrina Carruthers
- Andrew Crompton
- Nayef Mahgoub
- Taliesin Tupper
- Rene Wells
- Alex McKenzie

#### **6. OTHER BUSINESS**

##### **6.1 JURISDICTIONAL MATTER SDAB 2021-001**

APPLICATION No.:                   **2018-SU-00011**

DEVELOPMENT:                   **Plan of subdivision to create two residential lots**

LAND USE DESIGNATION:   **R1S – Single Family Small Lot Residential District**

LEGAL DESCRIPTION:           **Lot 34, Block 36 Plan 192 0472 (Former Lot 1 Block 1 Plan 182 1793) (Subject Property)**

CIVIC ADDRESS:                   **9102 McPhee Street and 108 Cote Bay, Fort McMurray, Alberta**

#### **Vacating of Chair**

Chair, A. McKenzie declared a Conflict of Interest due to the close proximity of the subject property to his primary residence and prior knowledge of the upcoming matter. In addition, A. McKenzie advised of personal relationships with affected property owners. To remove any possible perceptions of bias, he recused himself and relinquished the Chair to Vice-Chair Rene Wells and exited the meeting.

**PRESENT:**

**For the Appellant:**

Shaker Naser

**For the Respondent:**

D. Dhaliwal, Development Officer, Regional Municipality of Wood Buffalo

S. Chandhiok, Supervisor, Development Control, Regional Municipality of Wood Buffalo

**BEFORE:**

R. Wells, Chair

A. Austin

K. Carruthers

N. Mahgoub

T. Tupper

Following the introduction of the Board, Chair R. Wells confirmed with the parties in attendance that there were no further objections to the constitution of the Board.

The Chair indicated that Board Member Andrew Crompton had not taken the legislated Subdivision and Development Appeal Board training but would be sitting in on the hearing for training purposes only and would not be participating in the decision making. No objections were raised by the parties with Board Member A. Crompton's participation in the hearing

The Clerk introduced the appeal noting that there were two jurisdictional matters before the Board regarding a Notice of Appeal filed on January 11, 2021 relating to a refusal of a Subdivision Application No. 2018-SU-00011, to create two residential lots for the property located at 108 Cote Bay, Fort McMurray AB.

Jurisdictional Matters

- In accordance with section 686 of the Municipal Government Act, in order for the Board to maintain its jurisdiction on the appeal, it was requested that the appeal hearing for file no. SDAB 2021-001, be opened and adjourned to a date to be determined.
- The Appellant requested, that the merit hearing be scheduled for a date and time in which the hearing could be heard in person.

It was therefore requested, that the appeal hearing for SDAB 2021-001 be opened and adjourned to a date to be determined so that the Board maintains its jurisdiction, and that a preliminary hearing be held on March 11, 2021 to determine a date, time and location for the merit hearing.

No further submissions were made by the parties in attendance.

*Moved by K. Carruthers*

THAT the appeal hearing for SDAB 2021-001 be opened and adjourned to a date to be determined;  
and

THAT a preliminary hearing be held on March 11, 2021 at 6:30 p.m. to determine a date, time and location for the merit hearing.

**CARRIED UNANIMOUSLY**

Upon conclusion, the Chair asked the parties present if they felt that the hearing was conducted in a fair manner. No issues were brought to the Board's attention.

**NEXT MEETING DATE**

February 18, 2021

**CLOSE OF MEETING**

The meeting concluded at 6:59 p.m.