



Subdivision And Development Appeal Board

Held Electronically via MS Teams

September 23, 2021
6:30 p.m.

Agenda

Public Participation for the September 23, 2021 Subdivision and Development Appeal Board Hearing

The Subdivision and Development Appeal Board will be holding a meeting to hear an appeal, on September 23, 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 hearing via video conference:**
 - Anyone wishing to make a verbal submission via video conference during the meeting, must pre-register by 12:00 noon, September 23, 2021
 - To register, please email sdab@rmwb.ca or call 780-743-7001 with your name, a telephone number that you can be reached at prior to and during the hearing and an email address in which to forward the virtual hearing link.
 - Each registrant will be given a maximum of **5 minutes** to address the Board.
 - All registrants will be emailed the virtual hearing link and participation details prior to the commencement of the hearing
- **To attend the hearing as an observer**
 - Anyone wishing to attend the hearing as an observer, must pre-register by 12:00 noon, September 23, 2021
 - To register, please email sdab@rmwb.ca or call 780-743-7001 with your name, a telephone number that you can be reached at prior to and during the hearing and an email address in which to forward the virtual hearing link.
 - All registrants will be emailed the virtual hearing link and participation details prior to the commencement of the hearing
- **To submit written comments for the Board's consideration:**
 - Anyone wishing to submit written comments in support or in opposition of the appeal, may do so by emailing sdab@rmwb.ca before 6:00 p.m. Thursday September 23, 2021.
 - You must include your full name and how you are affected by the appeal
 - 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.

1. **Call To Order**

2. **Confirmation of Agenda**

3. **Confirmation of Proceedings**

- i. June 17, 2021 Record of Proceedings

4. **Appeal Hearing**

- 4.1 [SDAB 2021-003](#) Development Permit Application No. 2021-DP-00242
Appeal against the Approval of Development Permit
Application for a Group Home at the following property:
Lot; Block 42, Plan 0828117
Unit 1-8, 235 Millennium Gate, Fort McMurray, Alberta

5. **Adjournment**

Record of proceedings of the Subdivision and Development Appeal Board Hearing conducted Electronically via Microsoft Teams, in Fort McMurray, Alberta on June 17, 2021.

PRESENT:

R. Wells, Vice-Chair
K. Carruthers
A. Crompton
N. Mahgoub
T. Tupper

Administration:

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

1. CALL TO ORDER:

Vice-Chair, R. Wells, called the meeting to order at 6:39 p.m.

2. AGENDA

Moved by K. Carruthers

THAT the Agenda be adopted as presented.

CARRIED UNANIMOUSLY

3. CONFIRMATION OF PROCEEDINGS

Moved by A Crompton

THAT the written Record of Proceedings of the meeting held March 11, 2021, be accepted, as presented.

CARRIED UNANIMOUSLY

Moved by T. Tupper

THAT the written Record of Proceedings of the meeting held April 15, 2021, be accepted, as presented.

CARRIED UNANIMOUSLY

4. OTHER BUSINESS

4.1 SDAB FILE NO. 2021-001

APPLICATION No.: 2018-SU-00011
DEVELOPMENT: Subdivision to create two (2) residential lots.
LAND USE DESIGNATION: R1 – Single Detached Residential District
LEGAL DESCRIPTION: Lot 34, Block 36, Plan 91920472
CIVIC ADDRESS: 108 Cote Bay, Fort McMurray, Alberta

PRESENT:

For the Appellant:

Mahmoud Naser
Rashid Naser
Shaker Naser
Cliff Maron

For the Respondent:

Such Chandhiok, Supervisor, Subdivision Authority, Regional Municipality of Wood Buffalo
Deepinder Dhaliwal, Subdivision Authority, Regional Municipality of Wood Buffalo
Chris Davis, Municipal Legal Counsel
Camille Goodheart, Municipal Legal Counsel

Following the introduction of the Board, Vice-Chair R. Wells confirmed with the parties in attendance that there were no objections to the constitution of the panel. No objections were raised by either party.

Board Member N. Mahgoub declared for the record that he had a professional affiliation with the Appellant's engineering consultant C. Maron. There were no objections raised with Board Member N. Mahgoub's participation in the hearing.

The Appellant and the Municipality submitted requests for additional time to present their evidence.

With consensus of the Board, each party was granted forty (40) minutes to present their evidence, ten (10) minutes to present rebuttal evidence and ten (10) minutes for closing comments.

A preliminary matter was raised by the Appellants in opposition to the Municipality's request to submit a proposed set of conditions for the Boards consideration. The Appellant argued that the disclosure timelines were provided in the preliminary hearing decision.

Moved by N. Mahgoub

THAT the Board move in-camera to deliberate on the preliminary matter concerning the Municipality's request to submit a set of conditions for the Board's consideration.

CARRIED UNANIMOUSLY

The Board met in-camera from 7:09 p.m. to 7:23 p.m.

Moved by A. Crompton

THAT the Board reconvene in public.

CARRIED UNANIMOUSLY

Vice-Chair, R. Wells announced that the Board would reserve issuing a decision on the preliminary matter concerning the acceptance of the Municipality's proposed conditions and would provide further direction following the verbal submissions of the parties.

The merit hearing proceeded with submissions from the Appellant and the Municipality.

Audrey Rogers, adjacent property owner, provided a verbal presentation in opposition of the Appeal.

A written submission in opposition to the appeal from Rodney Crowe, adjacent property owner, was received and acknowledged by the Board.

Recess

A recess occurred from 10:45 p.m. to 10:52 p.m.

Upon reconvening the hearing, the Appellant and the Municipality provided rebuttal submissions.

Moved by T. Tupper

THAT the Board move in-camera.

CARRIED UNANIMOUSLY

The Board met in-camera from 11:09 p.m. to 11:19 p.m.

Moved by A. Crompton

THAT the Board reconvene in public.

Preliminary Matter Decision

The Board accepted the Municipality's proposed set of conditions and allowed the parties additional time to speak to each condition as they were presented.

Following closing comments, Vice-Chair R. Wells advised the parties that Board will be recessing the hearing and further direction on how the hearing will be proceeding will be communicated to the parties. The Vice 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.

Moved by K. Carruthers

THAT the appeal hearing for SDAB 2021-001 be recessed.

CARRIED UNANIMOUSLY

The hearing recessed from 12:08 a.m., June 18, 2021, to 4:30 p.m., July 8, 2021, at which time the parties were advised via email that the hearing for SDAB 2021-001, was closed and that the Board's decision would be issued within fifteen (15) days.