

### **THREE: Development Authority**

#### **Section 10: Designated Officer**

- 10.1 The office of designated officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.
- 10.2 The Designated Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development and subsequent decisions.
- 10.3 For the purposes of this Bylaw the Designated Officer serving as the Development Authority shall be titled as "Development Officer".

#### **Section 11: Municipal Planning Commission**

- 11.1 The Municipal Planning Commission established by Bylaw No. 251 shall perform such duties as specified in Part 4 of this Bylaw as well as the Municipal Government Act, Subdivision and Development Regulation.

#### **Section 12: Subdivision and Development Appeal Board**

- 12.1 The Subdivision and Development Appeal Board (SDAB) established by Council shall perform such duties as are specified in the Act.
- 12.2 At the appeal hearing the SDAB shall hear all those persons that it is required to hear under the Act.
- 12.3 At the hearing of the appeal, should the SDAB desire legal or technical opinions, it may adjourn the hearing pending receipt of such information, opinions or other assistance he Subdivision and Development Appeal Board is established by this Bylaw.
- 12.4 The Chairperson shall be responsible with respect to all things required to be carried out by the Board under the Act to see that they are carried out in accordance with the provisions of the Act, and;
- 12.5 Is empowered to rule that evidence presented is irrelevant to the matter in issue and to direct the members to disregard the evidence;
- 12.6 May limit a submission if he determines it repetitious; and
- 12.7 When a hearing is adjourned, but the time and place for the continuation of the hearing is not fixed, shall announce that notice of continuation of the meeting will be sent to those persons leaving their name and address with the Secretary. Thereafter, only those persons leaving their name and address shall be entitled to notice of the continuation of the hearing.

- 12.8 After hearing all submissions, the SDAB may deliberate and reach its decision in private. In arriving at a decision the majority vote of those members present shall constitute the decision of the SDAB. If the vote results in a tie, the appeal is lost.
- 12.9 The Secretary or Chairperson may make a verbal announcement of the SDAB's decision at the conclusion of the hearing of an appeal, but the verbal decision is neither final or binding on the SDAB, and no rights are conferred upon any party by the SDAB's verbal decision until written notice of the decision has been given in accordance with the Act.
- 12.10 The SDAB shall give its 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 Secretary during the hearing.
- 12.10.1 The Secretary shall, under the direction of the SDAB:
- (a) Notify members of the meetings of the SDAB;
  - (b) Keep available for public inspection before the commencement of the public hearing all relevant documents and materials respecting an appeal under the Act, including the application for the development permit or subdivision, and the appeal therefore, or the order of a Development Officer under Section 645 of the Act, as the case may be;
  - (c) Make and keep a written record of the proceedings of the SDAB which shall include: a summary of the evidence presented at the hearing; the decision of the development approving authority; the notice of Appeal and Hearing of the Appeal; the SDAB's decision, including reasons, for each appeal.
  - (d) Keep a list of names and addresses of persons who leave their names and addresses with the Secretary; and
  - (e) Keep a record of all business coming before the SDAB and after the adoption of the minutes of each meeting of the SDAB, transmit a copy of the minutes to Council.