
BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO ESTABLISH A SUBDIVISION AND DEVELOPMENT APPEAL BOARD AND TO AUTHORIZE THE TOWN OF BLACKFALDS TO ENTER INTO AN AGREEMENT WITH ONE OR MORE MUNICIPALITIES TO ESTABLISH AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c M 26 and amendments thereto, for the purpose of establishing a subdivision and development appeal board and authorizing the Town of Blackfalds to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board.

WHEREAS, pursuant to Section 627(1) of the *Municipal Government Act*, RSA 2000, c M-26, requires that a Council must by bylaw:

- a) establish a subdivision and development appeal board, or
 - b) authorize the municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board,
- or both.

WHEREAS, the Council of the Town of Blackfalds considers it necessary and desirable to establish a subdivision and development appeal board and further wishes to authorize the Town of Blackfalds to enter into an agreement to establish an intermunicipal subdivision and development appeal board.

NOW THEREFORE, the Council of the Town of Blackfalds, duly assembled, hereby enacts as follows:

PART 1 – TITLE

- 1.1 That this Bylaw shall be cited as the “**Subdivision and Development Appeal Board Bylaw**”.

PART 2 – DEFINITIONS

- 2.1 In this Bylaw:
 - a) “**Act**” means the *Municipal Government Act*, RSA 2000, c M-26, as amended.
 - b) “**Agreement**” means the document between the Town and another municipality which establishes an Intermunicipal Subdivision and Appeal Board, as permitted by this Bylaw and the Act.
 - c) “**Applicant**” means a person applying for subdivision approval or a development permit.
 - d) “**Appellant**” means a person who, pursuant to the Act, has served a notice of appeal on the Subdivision and Development Appeal Board.
 - e) “**Board**” means the Town of Blackfalds Subdivision and Development Appeal Board established under this Bylaw, and Part 17 of the Act.
 - f) “**CAO**” means the Chief Administrative Officer of the Town.
 - g) “**Clerk**” means a designated officer appointed to perform the duties and functions of a clerk pursuant to the Act and Regulation for the Board or the Intermunicipal Board who has or will complete the training requirements outlined in the *Matters Related to Subdivision and Development Regulation*, Alta Reg 84/2022, or any amendment thereafter
 - h) “**Council**” means the Municipal Council of the Town.
 - i) “**Intermunicipal Board**” means an Intermunicipal Subdivision and Development Appeal Board established through an Agreement authorized by this Bylaw.

- j) “**Member**” means an individual appointed by Council to serve on the Board who has or will complete the training requirements outlined in the *Matters Related to Subdivision and Development Regulation*, Alta Reg 84/2022, or any amendment thereafter.
- k) “**Town**” means the municipal corporation of the Town of Blackfalds.
- l) “**Town Board**” means the Subdivision and Appeal Board of the Town of Blackfalds, but is distinct from any Intermunicipal Board they may participate in.

PART 3 - ESTABLISHMENT OF A TOWN SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 3.1 The Town of Blackfalds Subdivision and Development Appeal Board is hereby established pursuant to section 627(1)(a) of the Act.
- 3.2 The Board shall hear and decide subdivision and development appeals in accordance with the Act, the Subdivision and Development Regulation, the Land Use Bylaw, and any applicable statutory plans.
- 3.3 The Board shall consist of at least five (5) public Members, appointed by Council for a two-year term, with no Member serving more than two (2) consecutive terms.
- 3.4 Town employees, the Town’s Subdivision Authority, the Town’s Development Authority and members of the Municipal Planning Commission shall not be appointed to the Board, nor any other person who carries out subdivision or development powers on behalf of the Town.
- 3.5 Appointments may be made in any year at any time Council chooses for operational, training, or contingency purposes.
- 3.6 Subject to the above, if the Town has entered into an Agreement to participate in an Intermunicipal Subdivision and Development Appeal Board, Council is not required to and shall not appoint Members to the Town’s Subdivision and Development Appeal Board during the annual recruitment process for Boards and Committees.
- 3.7 The Town Board shall be and remain inactive whenever the Town participates in an Intermunicipal Subdivision and Development Appeal Board.

PART 4 - PANELS

- 4.1 When hearing an appeal, a panel of at least three (3) Members shall be convened.
- 4.2 A majority of the panel constitutes a quorum.

PART 5 - BOARD PROCEDURES

- 5.1 The Board shall hold hearings within the timelines established in the Act.
- 5.2 The Board may make rules as are necessary for the conduct of its hearings that are consistent with this Bylaw, the Town’s Land Use Bylaw, the Act, and any other authority it deems impactful on the creation of such rules.
- 5.3 The Board shall conduct hearings in accordance with:
 - a) the Act;
 - b) the Board’s procedural rules (if adopted); and
 - c) applicable principles of procedural fairness and natural justice.
- 5.4 The Board shall issue written decisions, including reasons, within the timelines required by the Act.

PART 6 – BOARD CLERK

- 6.1 If the Town Board is active, Council shall appoint a Clerk and an alternate Clerk for the Board.

6.2 The Board Clerk shall:

- a) schedule and coordinate hearings;
- b) provide administrative support to the Board;
- c) receive and process notices of appeal;
- d) maintain the Board’s records,
- e) or any other such responsibilities and functions as described in the Act and/or the procedural rules (if adopted).

PART 7 - REMUNERATION

7.1 Council may establish honoraria or remuneration for Board Members by separate policy or resolution.

PART 8 - AUTHORIZATION FOR AN INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 8.1 In accordance with Section 627(1)(b) of the Act, the Town is hereby authorized to enter into an agreement with one or more municipalities to establish an Intermunicipal Subdivision and Development Appeal Board.
- 8.2 Council may, by resolution, approve the Agreement establishing an Intermunicipal Subdivision and Development Appeal Board Agreement and make any amendments thereto.
- 8.3 Council hereby authorizes the appointment of one or more Clerks for the Intermunicipal Board, in accordance with the Agreement.
- 8.4 When an Intermunicipal Subdivision and Development Appeal Board Agreement is in effect, Council shall refrain from appointing Members to the Town Board, as provided in Section 3.6 of this Bylaw, and no Town Subdivision Development Appeal Board panel shall be convened during that period.
- 8.5 When an Intermunicipal Subdivision and Development Appeal Board is in effect, the Intermunicipal Board shall hear all subdivision and development appeals arising within the Town in accordance with the Agreement.

PART 9 - REACTIVATION OF TOWN BOARD

9.1 If the Intermunicipal Board Agreement is terminated or expires, the Town Board is automatically reactivated, and Council must appoint Members and a Clerk in accordance with Parts 3 and 6 of this Bylaw and the Act.

PART 10 - APPEAL FEE

10.1 All Applicants or Appellants shall pay the fee outlined in the Town’s Development Fees and Fines Bylaw.

PART 11 - REPEAL

11.1 Bylaw 1274.22 is hereby repealed upon this Bylaw coming into effect.

PART 12 - DATE OF FORCE

12.1 This Bylaw shall come into effect upon the date on which it is finally read and passed.

READ for the first time this 14th day of April, A.D. 2026.

(RES. 107/26)

-Original Signed-

MAYOR LAURA SVAB

-Original Signed-

CAO KIM ISAAK

READ for the second time this 14th day of April, A.D. 2026.

(RES. 108/26)

-Original Signed-

MAYOR LAURA SVAB

-Original Signed-

CAO KIM ISAAK

READ for the third time this 14th day of April, A.D. 2026.

(RES. 110/26)

-Original Signed-

MAYOR LAURA SVAB

-Original Signed-

CAO KIM ISAAK