

**SUMMER VILLAGE OF WHITE SANDS
BYLAW NO. 226-26**

A BYLAW OF SUMMER VILLAGE OF WHITE SANDS, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

WHEREAS the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended requires a municipality to establish a subdivision and development appeal board by bylaw or to authorize the municipality to enter into an agreement with one or more municipalities to establish an intermunicipal subdivision and development appeal board;

AND WHEREAS the Council of Summer Village of White Sands considers it beneficial to enter into an agreement with Red Deer County for the purpose of Red Deer County providing subdivision and development appeal board services for Summer Village of White Sands.

NOW THEREFORE the Council of the Summer Village of White Sands duly assembled enacts as follows:

SHORT TITLE

- 1) The title of this bylaw shall be the “SDAB Services Bylaw.”

DEFINITIONS

- 2) Except as otherwise provided, words in this Bylaw shall have the meanings prescribed in the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended.
- 3) In this Bylaw, the following terms shall have the meanings shown:
 - a) “Act” means *the Municipal Government Act*, RSA 2000, Chapter M-26 as amended from time to time, together with all Regulations passed.
 - b) “Agreement” means the Subdivision and Development Appeal Board Services Agreement executed by the Municipality and Red Deer County and amended from time to time.
 - c) “Board” means the Subdivision and Development Appeal Board established pursuant to the Agreement and this Bylaw.
 - d) “CAO” means the Chief Administrative Officer appointed by Council of Summer Village of White Sands under section 205 of the Act.
 - e) “Member” means a person appointed to the Board.
 - f) “Municipality” means the Summer Village of White Sands.
 - g) “Red Deer County CAO” means the Chief Administrative Officer appointed by Red Deer County Council under section 205 of the Act.

ESTABLISHMENT

- 4) The Board is established for the purpose of exercising the functions of the Subdivision and Development Appeal Board in accordance with the Act and for the provision of services to the Municipality, by Red Deer County.

AGREEMENT

- 5) The CAO is hereby delegated the authorization to enter into an Agreement with Red Deer County to establish and provide services of the Board respecting matters including but not limited to:
- a) working boards (hearing directives or procedures of the Board),
 - b) membership of the Board,
 - c) appointment of Members,
 - d) training of Members,
 - e) eligibility to be a Member,
 - f) meetings and hearings of the Board,
 - g) panels of the Board,
 - h) conflict of Interest, Bias, and Confidentiality of Members,
 - i) remuneration for Members, and
 - j) general provisions such as hearings may be in person, by telephone or video; public notice of hearings will be provided on the Coordinator's website,
 - k) presiding officers,
 - l) preliminary hearings,
 - m) administration and records
 - n) powers and duties of the clerk, and
 - o) the appointment and removal of Members and the Clerk in accordance with the Act and the Agreement, and
 - p) severability.

POWERS AND DUTIES OF BOARD

- 6) The Board shall hear and decide upon appeals made with respect to a decision made by the Municipality's Subdivision Authority and the failure or refusal to make a decision by the Municipality's Subdivision Authority in accordance with the Act.
- 7) The Board shall hear and decide upon appeals made against a decision or order made by the Municipality's Development Authority and the failure or refusal to make a decision by the Municipality's Development Authority in accordance with the Act.
- 8) The Board shall hear and decide upon appeals made against a Stop Order made by the Municipality's Development Authority.

FILING AN APPEAL

- 9) A person may appeal to the Board in accordance with the Act.
- 10) Appeals must be filed with the Municipality.
- 11) A notice of appeal shall be deemed to be filed with the Board on the date the complete notice of appeal and appeal fee is received in the Municipality.

APPEAL FEES

- 12)** Appeal fees are set in accordance with the Municipality's Fees and Services Bylaw, as amended from time to time.
- 13)** Appeal fees must be paid to the Municipality.

SEVERABILITY

- 14) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

TRANSITION AND EFFECTIVE DATE

15) Bylaw No. 180-21 is hereby repealed.

16) The terms of current board members are ended upon this bylaw coming into force.

17) This Bylaw comes into force on the date of third reading and signing.

18) Where, prior to the coming into force of this Bylaw, a subdivision appeal, development appeal, or appeal from a stop order, was filed with or assigned to another subdivision and development appeal board of Summer Village of White Sands, and remains outstanding, the appeal shall continue before the Board established under this Bylaw.

19) For greater certainty:

- a) the appeal shall be treated as if it had been properly filed with the Board on the date it was originally filed;
- b) all materials, records, fees, and steps taken in relation to the appeal before this Bylaw came into force remain valid; and
- c) the Board may hear, determine, and dispose of the appeal in accordance with the Act and this Bylaw.

Read a first time this 20th day of April, 2026

Read a second time this 19th day of May, 2026.

Unanimously agree to proceed with third reading this 19th day of May, 2026

Read a third and final reading this 19th day of May, 2026.

_____Original Signed_____

MAYOR

_____Original Signed_____

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE B – FEES

1. **ANNUAL SERVICE FEE:** \$500

2. **ADDITIONAL FEES:**

- a) Clerk services will be charged at a rate of \$75/hour for all administration related to appeal hearing including but not limited to preparing notices of hearing, scheduling the appeal, preparing for and attending the appeal, working with the Board to prepare the decision, issuing the decision and handling any follow up related to the appeal.
- b) Withdrawn Appeals: in instances where an appeal is filed and then withdrawn; the Municipality will be obligated to pay the hourly rate for the effort put into the file.
- c) Member Remuneration: in instances where an appeal proceeds to a hearing; the Municipality will be obligated to pay Member Remuneration and expenses in accordance with the following:

Up to 4 hours	Over 4 Hours
\$105	\$210

- d) Meals and Expenses of the Board: will be charged to the Municipality in accordance with policies and procedures prescribed by the Coordinator.
- e) Office/Print Supplies: will be charged to the Municipality on a cost recovery basis.
- f) Legal Services: will be charged to the Municipality on a cost recovery basis.
- g) Audio, Digital Recording and Transcript Services: will be charged to the Municipality on a cost recovery basis.
- h) Venue booking fees, rates and charges will be charged to the Municipality on a cost recovery basis.