

SUBDIVISION & DEVELOPMENT APPEAL BOARD
Thursday, May 28, 2020, 1:30 p.m.
Town of Drayton Valley Council Chambers/Teleconference

RECORD OF PROCEEDINGS

Present:

Heather Anderson, Board Member
Graham Long, Board Member
Charlie Miner, Board Member
Sabine Landmark, Clerk
Alifeyah Gulamhusein, Brownlee LLP, Counsel for the Board (Call In)

Matt Ellis, Development Authority, Town of Drayton Valley

Brenda Christie, Appellant's Agent
Martino Verhaeghe, Appellant's Agent
Blane Janzen, Appellant
Charmain Hammond, Appellant

Nathan Palovcik, IT Manager, Town of Drayton Valley
Pastor John Haazen, Alliance Church (Call In)
Lola Strand, FCSS Program Coordinator, Town of Drayton Valley (Call In)
Brian McIntosh, Landmark Cinemas (Call In)
Laurie Lainchbury, Edward Jones (Call In)
Lowani Mubanga, Planning & Development Officer, Town of Drayton Valley (Call In)
Dale Peters (Call In)
Robert Ellis (Call In)

1.0 Call to Order

SDAB Clerk, Mrs. Landmark, called the meeting to order at 1:30 p.m.

2.0 Elections of Chair and Vice Chair

Mrs. Landmark called for nominations for Chair of the Subdivision and Development Appeal Board for the period ending July 21, 2021.

Mr. Long nominated Mr. Miner for the position of Chair of the SDAB for the period ending July 21, 2021. There were no other nominations.

Ms. Anderson moved that nominations for Chair of the SDAB for the period ending July 21, 2021, cease.

CARRIED

Mr. Long moved that Mr. Miner is elected Chair of the SDAB for the period ending July 21, 2021.

CARRIED

Mr. Miner assumed the Chair and called for nominations for Vice Chair of the SDAB for the period ending July 21, 2021.

Mr. Long nominated Ms. Anderson for the position of Vice Chair of the SDAB for the period ending July 21, 2021. There were no other nominations.

Chair Miner moved that nominations for Vice Chair of the SDAB for the period ending July 21, 2021, cease.

CARRIED

Mr. Long moved that Ms. Anderson is elected Vice Chair of the SDAB for the period ending July 21, 2021.

CARRIED

3.0 Additions or Deletions to Agenda

There were no additions or deletions to the Agenda.

4.0 Adoption of Agenda

Mr. Long moved by that the May 28, 2020, Agenda be adopted, as presented.

Ms. Anderson seconded.

CARRIED

Chair Miner advised that the Subdivision and Development Appeal Board is a quasi-judicial tribunal that hears appeals on development permits, subdivision decisions and enforcement orders issued by the Town of Drayton Valley. The Board is independent from Town of Drayton Valley. The Board makes impartial and unbiased decisions after conducting a hearing fairly and in accordance with legislation, administrative law, and the principles of natural justice.

The Board will not be making any decisions today but only hear the evidence. Deliberations will take place with the Clerk in attendance. The Board has 15 days to make a written decision, which makes June 12, 2020, the last day for a decision.

5.0 Appeal

5.1 Appeal #2020-01

An Appeal against the decision of the Development Authority of Town of Drayton Valley to allow the Community Mat and Shelter Program as a permitted accessory use

Appellant: IVCBC Holdings Ltd.

Legal Description: Lot 14, Block 50, Plan 1422152

Municipal Description: 5012 – 56 Avenue

The SDAB Clerk read the appeal matter into the record.

Outline of Hearing Process

Chair Miner asked if anyone affected by the appeal had any objection to the Board Members present. There were no objections.

Chair Miner asked if anyone in attendance had preliminary matters to raise. No one came forward.

Chair Miner outlined the hearing process. No one raised any concerns.

SDAB Clerk noted that legal counsel for the SDAB is present online. The SDAB Clerk read out the submissions that were received in advance of the hearing and noted additional materials that were received at the beginning of this hearing, i.e. Exhibit 7 (letter from the appellant) and Exhibit 8 (report from the development authority).

Presentations

Development Authority

Chair Miner called on the Development Authority to come forward and make their presentation. Mr. Ellis, Senior Planner for the Town of Drayton Valley, presented his report to the Board. Mr. Ellis noted that Town Council passed a motion to move the mat/shelter

program to a different location immediately. Mr. Ellis answered questions from the Appellant and the Board.

Chair Miner asked if anyone in the audience or any member of the Board had questions of the speaker for clarification.

Ms. Anderson asked for clarification if the mat program is part of FCSS. Mr. Ellis confirmed that the mat program is administered by the FCSS and is typically located in churches. FCSS falls under social organizations.

Mr. Long moved to meet in camera at 2.15 p.m.

CARRIED

Chair Miner recessed the meeting at 2:15 p.m., and reconvened the meeting in public with all board members present at 2:35 p.m.

Chair Miner noted that after consultation with the board's legal counsel and in view of Town Council's decision from yesterday, the Board is proposing to adjourn this meeting. The adjournment will provide time to see if the mat program actually does move out of the Alliance Church building.

6.0 Deliberations (Private)

7.0 Adjournment

Chair Miner announced that the Hearing will be adjourned until June 12, 2020, at 1:30 p.m. in the Civic Centre Council Chambers.

Chair Miner adjourned the Hearing at 2:58 p.m.

CHAIR PERSON