

**BYLAW NO 2017 – 01
VILLAGE OF CANWOOD**

**A Bylaw to enter into an agreement respecting the establishment of a District
Development Appeals Board for the Village of Canwood.**

The Council of the Village of Canwood, in the Province of Saskatchewan, enacts as follows:


1. The Village of Canwood is hereby authorized to enter into an agreement with the Councils of:


The Village of Leask,
The Village of Marcelin,
The Village of Debden,
The Village of Parkside.

the terms of which are attached hereto and marked Exhibit "A" to this bylaw.

2. The Mayor and Administrator of the Village of Canwood are hereby authorized to sign and execute an agreement, the terms of which are set out in Exhibit "A" attached hereto.
3. This bylaw shall come into force and take effect on the date of the final approval of Council.




Robert Thompson
Mayor


Erin Robertson
Administrator

Read a third time and adopted this 15th day of February, 2017.

Certified a true copy of bylaw
adopted by Resolution of Council
on the 15th day of February 2017

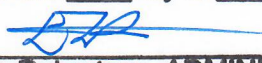

Erin Robertson, ADMINISTRATOR

Exhibit "A"

55-40 Urban Development Appeals Board Board Agreement

Made Between:

The Village of Marcellin
The Village of Leask
The Village of Canwood
The Village of Debden
The Village of Parkside

WHEREAS the municipalities above mentioned deem it beneficial to enter into an agreement for the purpose of exercising the powers conferred upon them by Section 214(3) of the *Planning and Development Act, 2007* and creating and managing a District Development Appeals Board; and


WHEREAS the parties to this agreement intend to establish an organization of the type contemplated in Section 214(3) of the *Planning and Development Act, 2007*;

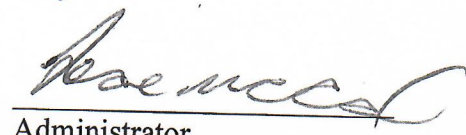
NOW, THEREFORE, this agreement witnesses that:

1. The parties agree to joint action for development appeals through formation of a District Development Appeals Board. This board shall be known as the Urban 55-40 Development Appeals Board sometimes referred to in this agreement as "the Board."
2. The parties agree that the Board shall consist of one representative from each member municipality for a total of five (5) members of the Board. The representative shall be appointed annually by resolution of the Council of each of the member municipalities.
3. The parties agree that the members of the Board, once chosen, shall appoint a Chairman from among themselves.
4. The parties agree that the Secretary of the Board shall be:
As per Appendix A
5. The parties agree that the term of the Secretary of the Board shall commence upon the receipt of an appeal, and expire immediately following the completion of the appeal at hand.
6. The parties agree that remuneration of the Secretary of the Board shall be set as an hourly rate based on the annual salary of the Administrator as paid by the municipality in which they are employed.
7. The parties agree that the duties of the Secretary shall include but not be limited to those outlined in Appendix B:
8. The parties agree that appeals shall be heard at the office of the municipality in which the appeal originated.
9. The parties agree that all expenses incurred during an appeal, including remuneration and mileage for the Board and Secretary shall be the sole responsibility of the municipality in which the appeal was made.
10. The parties agree that remuneration shall be paid to each member of the Board as the rates outlined in Appendix C.
11. The parties agree that mileage shall be paid to each member of the Board as well as to the Secretary of the Board at a rate equivalent to that established by the provincial government.
12. The parties agree that training for Board members should be made available for each newly appointed member of the Board, and that the costs of training and mileage for each member shall be the responsibility of the municipalities from which the member was appointed.
13. The parties agree that members of this agreement that do not currently have a Zoning Bylaw, shall not be subject to any of the terms above until such time as their Zoning Bylaw has been passed by resolution of Council, at which time all terms of the agreement shall apply to them as well.

WITNESS THEREOF:

VILLAGE OF MARCELIN

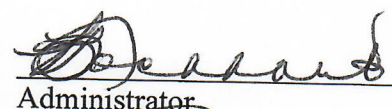


Mayor

Administrator

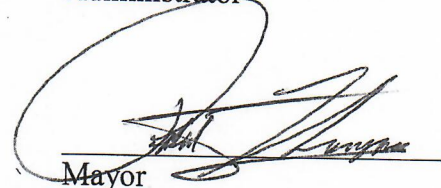
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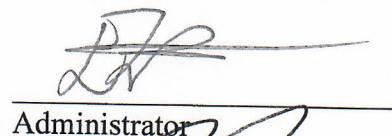


Mayor

Administrator

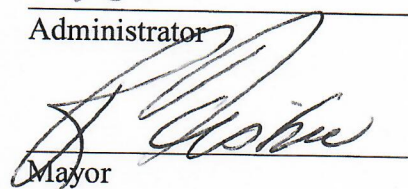
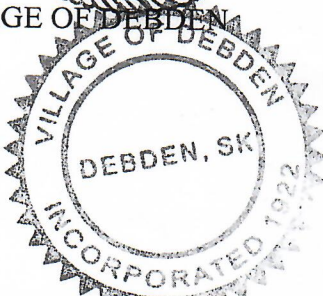
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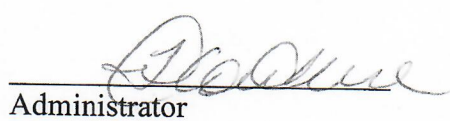


Mayor

Administrator

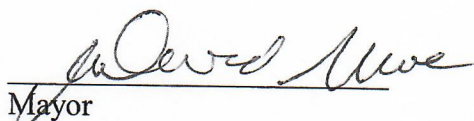
VILLAGE OF DEBDEN

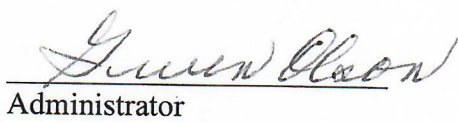


Mayor

Administrator

VILLAGE OF PARKSIDE



Mayor

Administrator

Appendix A

Secretary of the Board Appointment

Originating Municipality: Village of Debden	Secretary: Village of Canwood
Originating Municipality: Village of Canwood	Secretary: Village of Parkside
Originating Municipality: Village of Parkside	Secretary: Village of Leask
Originating Municipality: Village of Leask	Secretary: Village of Marcelin
Originating Municipality: Village of Marcelin	Secretary: Village of Debden

Appendix B

Duties of the Secretary of the Board

The secretary is responsible for all administrative and operational matters of the board to ensure compliance with the PDA.

Pre-hearing responsibilities:

- receive and ensure the application for appeal, fees and related material are properly filed;
- ensure all relevant documents and materials are available for public inspection;
- inform the appellant, the owner of the property (if different), the council and each assessed owner of adjacent property or property within a 75 metre radius of the subject property no later than ten days before the hearing, a notice of hearing notifying them on the appeal and the date and time of the hearing;
- submit a statutory declaration to the board that the notices were mailed with correct addresses and postage, including the mailing date;
- prepare a report for each appeal consisting of maps, plans, drawings, photos, facts, applications, letters, development officer report, surveyor's certificate, and any other relevant material to the board at least five days prior to the hearing;
- determine the order of hearings based on their complexity and provide a docket outlining the order of hearings to the board as well as on the door of the meeting room prior to the start of the hearings;
- advise the board of relevant law, and previous judicial and board decisions; • make contact with members to ensure quorum; and
- set up any necessary equipment/materials.

Hearing responsibilities:

- announce the appeal;
- take attendance and note absences;
- record the names of speakers;
- document any exhibits; • record motions; and
- take detailed minutes on the entire hearing: what is given in evidence and argument not only has relevance to the written decision, but also to any further appeals.

Post-hearing responsibilities:

- finalize the minutes;
- assist in the preparation of the written decision of the board;
- ensure the board's decision is signed and co-signing the notice of decision where the chairperson is absent;
- within ten days of the date on which the decision is made, send out the notice of decision to the appellant, the municipality, the minister and all persons who made representations at the public hearing, by registered mail, and include instructions regarding further appeals; and
- if the minister, the council, the appellant, or any other affected person appeals the board's decision, the board shall within ten days of receiving a notice of appeal, send a certified copy of the board's records to the secretary of the SMB.

Appendix C

Rate of Remuneration for all Board members

In respect to training and development for appointed Board members, remuneration shall be paid by the appointing Municipality as follows:

Travel – mileage as per the provincial rates

Hourly Rate – based on minimum wage in effect at the time of the training and shall include travel time.

In respect to a Development Appeal, remuneration shall be paid by the Municipality in which the appeal originated as follows:

Travel to meetings and hearings – mileage as per the provincial rates

Hourly Rate – for all attendances at meetings, hearings and viewing properties based on minimum wage in effect at the time of the hearing and shall include travel time.