

**PRELIMINARY HEARING  
NOTICE OF DECISION**

FILE NO. **SDAB 2024-001**

APPLICATION NO.: **2024-DP-00082**

DEVELOPMENT: **Addition to Single Detached Dwelling**

LEGAL DESCRIPTION: **Lot 2, Block 4, Plan 1220270**

CIVIC ADDRESS: **104 Ward Crescent, Fort McMurray, Alberta**

**IN THE MATTER OF AN APPEAL** filed with the Regional Municipality of Wood Buffalo Subdivision and Development Appeal Board (“the Board”) pursuant to Sections 685 and 686 of the *Municipal Government Act*, R.S.A 2000, c. M-26 (“the *Municipal Government Act*”), a Preliminary Hearing was held via Microsoft Teams on May 16, 2024.

**PARTIES:**

Saad Bachi – Appellant  
Shailesh Makwana – Development Authority Supervisor  
Dave Stearman – Development Authority

**BEFORE:**

D. Cleaver, Chair  
K. Carruthers  
T. Morris

**Administration:**

H. Fredeen, Clerk, Subdivision and Development Appeal Board  
A. Hawkins, Clerk, Subdivision and Development Appeal Board

- [1] In accordance with section 10 of the Subdivision and Development Appeal Board Bylaw No. 18/021, the Board met as a panel of three (3) for this hearing.
- [2] The Chair confirmed with the parties in attendance that there were no objections to the constitution of the Board or the process to be followed.

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**PRELIMINARY MATTERS**

- [3] The first matter before the Board is the request for postponement of the merit hearing date filed by the Appellant. The merit hearing is scheduled for May 23, 2024. The Appellant requested that the merit hearing be postponed until June 2024.
- [4] The second matter before the Board is the Board's jurisdiction over the Appeal. Should the Board grant the request for postponement of the merit hearing until June 2024, it is necessary for the Board to open the appeal hearing and adjourn to a later date.
- [5] The Appellant indicated that the request for postponement was submitted because his consultant for the development is out of the country and is required to assist the Appellant with preparations for the merit hearing.
- [6] The Development Authority submitted no opposition to the Appellant's request for postponement and requested that should the Board grant the postponement request, the hearing be held after June 4, 2024.
- [7] The Clerk submitted a proposed hearing date of June 20, 2024, for the Board's consideration.
- [8] No submissions on the merits of the appeal were made by the parties.

**DECISION**

- [9] **It is the decision of the Subdivision and Development Appeal Board to grant the postponement request.**
- [10] **The Appeal Hearing for SDAB 2024-001 is hereby opened and adjourned to June 20, 2024, as follows:**

**Date: Thursday, June 20, 2024**

**Location: Council Chamber  
Jubilee Centre  
9909 Franklin Avenue  
Fort McMurray, AB**

**Time: Doors open at 6:00 p.m.,  
Hearing commences at 6:30 p.m.**

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- [11] In accordance with section 629 of the *Municipal Government Act*, the Subdivision and Development Appeal Board may, while carrying out its powers, duties and responsibilities, accept any oral or written evidence. Any documentary or photographic evidence and a summary of testimonial evidence must be received by **12:00 p.m., Thursday, June 13, 2024.**
- [12] In accordance with the requirements laid out in section 686(3) of *the Municipal Government Act*, a notice of the hearing will be sent out to all parties.

### **REASONS FOR THE DECISION**

- [13] The purpose of the hearing was to hear submissions from the parties in relation to the Appellant's request for postponement.
- [14] The Board did not hear any submissions in opposition to the Appellant's request for postponement or the date of June 20, 2024, identified by the Clerk as a viable merit hearing date.
- [15] The Board is aware that it must commence a hearing within 30 days of the date of the appeal, and therefore, the Appeal Hearing for SDAB 2024-001 was opened and adjourned to June 20, 2024, to preserve the jurisdiction of the Board in relation to this appeal.
- [16] The Board also clarifies that the members sitting during the preliminary hearing are not seized with the matter, since no information or submissions on the merits were heard by them.
- [17] It is so ordered.
- [18] Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 22 day of May, 2024.

CHAIR:

FOIP section 17(1)

Dean Cleaver

## DOCUMENTS RECEIVED AND CONSIDERED BY THE SDAB:

<b>Exhibit #</b>	<b>Description</b>	<b>Filing Date</b>
P 1.	Request for Postponement - Appellant	2024-05-01
P 2.	Municipality Response – Request for Postponement	2024-05-15

## REPRESENTATIONS

PERSON APPEARINGCAPACITY

1.	S. Bachi		Appellant
2.	S. Makwana	Development Authority - Regional Municipality of Wood Buffalo	
3.	D. Stearman	Development Authority - Regional Municipality of Wood Buffalo	