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Appeal File Number:	024-STU-009
Application Number:	2024-S-011
Appeal Against:	Subdivision Authority of Sturgeon County
Appellants:	Russel Pollard
Date and Location of Hearing:	June 18, 2024 Council Chambers and Through Electronic Communications
Date of Decision:	July 2, 2024
SDAB Members:	Julius Buski (Chair), Neal Comeau, Lee Danchuk, Amanda Papadopoulos, and Don Rigney

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**NOTICE OF ADJOURNMENT  
DECISION**

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**IN THE MATTER OF** an appeal by Russel Pollard against the Subdivision Authority’s conditional approval to consolidate an existing 1.51 hectares into the 30.71 hectares remnant and a subsequent subdivision of 1 hectare from the resulting 32.22 hectares at 7820343; ;2 (NW-23-54-26-W4M) within Sturgeon County.

- [1] This is the adjournment decision of the Sturgeon County Subdivision and Development Appeal Board (the “SDAB” or “Board”) on an appeal filed with the SDAB pursuant to section 678(1) of the *Municipal Government Act*, R.S.A. 2000, c. M-26 (the “MGA” or “Act”).

**PROCEDURAL MATTERS**

- [1] The appeal was filed on time and in accordance with section 678(2) of the MGA.

**PRELIMINARY MATTERS**

- [2] The Clerk of the Board advised that the Board received a written request for adjournment from the Appellant, Mr. Pollard due to a personal medical issue impairing his ability to participate in a hearing at this time.
- [3] The Appellant confirmed with the Clerk that he is available on July 9, 2024 at 2:00 p.m., which is the next scheduled SDAB hearing date.

**SUBDIVISION AUTHORITY’S POSITION**

- [4] The Subdivision Authority provided written consent for the adjournment.

## DECISION OF THE BOARD

[5] The Board GRANTS an adjournment to July 9, 2024, at 2:00 p.m.

## REASONS FOR THE DECISION

- [6] The Appellant's request is to adjourn the hearing to July 9, 2024, at 2:00 p.m. due to a personal medical issue impairing his ability to attend the hearing scheduled for June 18, 2024.
- [7] The principles of natural justice mean that affected persons have a right to be heard and have a fair opportunity to state their case. As the Appellant was experiencing a personal medical issue impairing his ability to participate in a hearing at this time, the Board finds that an adjournment is appropriate to allow him to attend the hearing and make submissions to the Board.
- [8] In considering the adjournment request, the Board considered other parties who have an interest in this matter. The Appellant is appealing the conditional approval of his own subdivision application, meaning that the delay caused by an adjournment only delays his own ability to receive a decision from the Board. Adjacent landowners and relevant agencies were notified of the June 18, 2024 hearing and no other parties identified themselves as being affected, so it follows that they would not be prejudiced by an adjournment of the merit hearing.
- [9] The Board received written consent from the Subdivision Authority in support of the adjournment request.
- [10] The Board finds that an adjournment to July 9, 2024, is appropriate as the Appellant has confirmed his availability on this date and it is the next regularly scheduled meeting of the SDAB.
- [11] For all of these reasons, the Board grants an adjournment of the merit hearing to July 9, 2024 at 2:00 p.m. No additional notice of the merit hearing is required.

Dated at the Town of Morinville, in the Province of Alberta, this 2<sup>nd</sup> day of July, 2024.



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Julius Buski, Chair

*Pursuant to Section 688(1)(a) of the Municipal Government Act (MGA), an appeal of a decision of the Subdivision and Development Appeal Board lies with the Alberta Court of Appeal on a matter of law or jurisdiction. In accordance with Section 688(2)(a), if a decision is being considered, an application for permission to appeal must be filed and served within*

*30 days after the issuance of the decision and, notice of the application for permission must be provided to the Subdivision and Development Appeal Board and in accordance with Section 688(2)(b), any other persons that the judge directs.*