

THE MUNICIPAL BOARD OF MANITOBA

Procedure at Development Plan By-law Hearings

1. The Board is an “Independent Body” appointed by Order-in-Council and hearings before the Board are open to the public.
2. At least ten (10) working days prior to a hearing, all parties are required to file any written material that will be relied upon as follows:
 - four (4) copies to the Board,
 - one (1) copy to the Applicant, if applicable,
 - one (1) copy to Municipal Government/Approving Authority,
 - one (1) copy to the Planning District, if applicable, and
 - one (1) copy to the Municipality.

It is in your best interest to file material as noted, however, if you are unable to provide this material prior to the hearing, you may do so at the hearing.

3. If you wish to have service provided in French, please notify our office fifteen (15) days prior to the hearing.
4. On the day of the hearing, the Recording Secretary will ask for the names of persons wishing to make a presentation.
5. The hearing will begin with the Recording Secretary announcing the matter to be heard. Hearings are recorded but, transcripts are not prepared. You may contact the office for further information.
6. Although a quorum of the Board is two, the Board typically sits as a panel of three, one of whom acts as the Chair. The Chair will introduce the panel members and explain how the hearing will proceed. Questions about the proceedings may be asked at this time.
7. A hearing before the Board is separate and distinct from previous council and public hearings on the matter. This is not a town hall meeting. Discussion and debate are not allowed.
8. All presentations and questions are made under oath.
9. The Municipality/Planning District/Municipal Government will present the By-law and any other information relevant in order for the Board to make its decision.
10. If you wish to speak on the objection, question, or issue that was referred to the Board, you will have the opportunity to make your presentation.
11. The Board requires all in attendance at the hearing to behave respectfully, to take their turn, and not to interrupt the proceedings. Everyone will be given opportunity to present their case.

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12. Once you have made your presentation, the Municipality/Planning District and Board may question you on your presentation.
13. The By-law before the Board is a referral by the Minister of Municipal Government pursuant to Section 49 of *The Planning Act*.
14. Once the Minister refers the By-law to the Board, the Board must:

Municipal Board hearing

50(1) If the minister makes a referral under section 49, the Municipal Board must

- (a) hold a public hearing to receive representations from any person on the objection, question or issue referred to it; and
 - (b) at least 14 days before the hearing, send notice of the hearing to
 - (i) the minister,
 - (ii) the board or council involved,
 - (iii) every person who made a representation at the hearing held under subsection 46(1), and
 - (iv) any other person it considers appropriate.
15. At the conclusion of the hearing the Chair will adjourn the proceedings. The panel will consider all the evidence and make its decision. The Board, pursuant to Section 50(2) of *The Planning Act*, must submit a Report to the Minister setting out its recommendation on the objection, question, or issue referred to it.
 16. The Board will not accept any information after the hearing has been adjourned.
 17. The Board may in its discretion, dispense with, vary or amend these procedures.