

THE MUNICIPAL BOARD OF MANITOBA

Procedure at Zoning 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, you are required to file with the Board four (4) copies of all material upon which you intend to rely on and one (1) copy of this material to be filed with the Municipality for public viewing. 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. Discussion and debate are not allowed, this is not a town hall meeting.
8. All presentations and questions are made under oath or affirmation.
9. Council will present its By-law and any other information that Council feels relevant in order for the Board to make its decision.
10. Presenters will have the opportunity to make their 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.
12. Once you have made your presentation, the Municipality and Board may question you on your presentation.

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13. The Municipal Board, in dealing with a proposed By-law, must make an Order under Section 77(8) of *The Planning Act*, which states:

Order

77(8) Subject to subsection (10), within 30 days after holding the hearing, the Municipal Board or the board of the planning district must make an order

(a) confirming or refusing to confirm any part of the by-law that was the subject of the objection; or

(b) directing the board or council to alter the by-law in the manner it specifies to address any representations on the objection made at the hearing.

The order may be subject to any terms or conditions the Municipal Board or the board considers advisable.

14. At the conclusion of the hearing the Chair will adjourn the proceedings. The panel will consider all the evidence and make its decision within 30 days after the hearing. A written Order and supporting reasons will be sent to all those who made presentations and/or sent in letters of objection or support.
15. The Order of the Board is final and not subject to appeal.
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.