



EMRB ADMINISTRATIVE PROCEDURES FOR THE REF

Purpose: To clarify the EMRB’s Administrative Procedures for the Regional Evaluation Framework (REF).

Step	Description of EMRB Administrative Procedures
i	<p>Pre-Application Consultation</p> <p>EMRB Administration may be consulted by an Applicant for advice related to the submission of a REF Application. The best professional advice shall be provided to the Applicant by EMRB Administration in writing. At this stage there shall be no REF Consultant yet engaged by the EMRB.</p>
1	<p>Receipt of Application by EMRB</p> <p>An Application is received by the EMRB. EMRB Administration date stamps the documents. If the Application is submitted in paper only, EMRB Administration requests an electronic copy from the Applicant Municipality.</p>
2	<p>Preliminary EMRB Administration Review</p> <p>The Application is reviewed by EMRB Administration to determine if all required documents have been received in accordance with Section 5.2 of the REF. Applications do not proceed until an electronic copy of all required documents have been received.</p> <p>If all required documents have not been received, EMRB Administration contacts the Applicant Municipality.</p> <p>EMRB Administration reviews the Application to determine whether or not the Application relates to a statutory plan that must be referred to the EMRB under Section 4 of the REF. If yes, then the Application is referred for REF Consultant Evaluation.</p> <p>If the Application does not appear to relate to a condition under Section 4 of the REF, then EMRB Administration contacts the Applicant Municipality.</p>
3	<p>Application Deemed Complete</p> <p>When all required documents are received, and it is determined that the Application meets conditions required for referral to the Board for review under Section 4 of the REF, the Application is assigned a REF number (e.g. REF 20XX-XXX).</p> <p>An email is sent to the Applicant Municipality noting the date the Application is deemed to be complete and the date by which a EMRB Administration Recommendation must be issued (within 25 working days from date Application is deemed complete). This email is copied to Board Members and CAOs.</p> <p>The Applicant Municipality’s documentation is posted to the EMRB website.</p> <p>After an Application is Deemed Complete no further advice will be given by EMRB Administration and/or REF Consultants, and no changes may be made to the Application whatsoever. By sending the Deemed Complete email, that email action clarifies what the final document is that is to be evaluated. Clarification may be sought but no changes are allowed whatsoever (other than typos, grammar, immaterial errors, etc.) to the documents from this point forward until a decision is made by the EMRB. If the REF Consultant requires clarification regarding an Application, a supplemental report may be submitted by the Applicant for clarity, but there shall be no alteration made to the original Application.</p>



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4	<p>Referral for REF Consultant Evaluation</p> <p>EMRB Administration refers the Application to a REF Consultant for review and evaluation. If the REF Consultant advises that they have a conflict of interest, EMRB Administration refers the review to another REF Consultant.</p> <p>Once a REF Consultant confirms interest in the Application, with no conflict of interest, a Consultant Evaluation is prepared pursuant to Section 8 of the REF. If clarification is required regarding an Application, a supplemental report may be submitted by the Applicant, but there shall be no alteration made to the original Application.</p> <p>The Consultant Evaluation is provided to EMRB Administration within 14 working days.</p>
5	<p>EMRB Administration Recommendation</p> <p>EMRB Administration reviews the Application and the REF Consultant Evaluation in accordance with Section 8 of the REF and prepares a EMRB Administration Recommendation on or before the 25 working days. The REF Consultant Evaluation and EMRB Administration Recommendation are posted to the EMRB website and forwarded to the Applicant Municipality, EMRB Members, and CAOs.</p> <p>Approve Recommendation:</p> <p>An EMRB Administration Recommendation to approve an Application will stand as the final decision on a REF Application after a 28 calendar days appeal period, unless a Member Municipality appeals the recommendation to the Board. If no appeal is received within the appeal period, the Application is Deemed Approved and EMRB Administration will confirm in writing to the Applicant Municipality, Board Members, and CAOs of the disposition of the REF within one week after the appeal period expires.</p> <p>Reject Recommendation:</p> <p>If an EMRB Administration Recommendation is to not approve an Application, EMRB Administration notifies the Applicant Municipality, Board Members, CAOs and indicates that the Application will be brought to the next Board meeting for disposition.</p>
6	<p>Appeals</p> <ol style="list-style-type: none"> 1. Any EMRB Member Municipality may appeal the EMRB Administration Recommendation to approve a REF Application. 2. An appeal may be commenced by submitting a notice of appeal within 28 calendar days after the EMRB Administration Recommendation is posted to the EMRB website. Note that the date of the recommendation and posting of the recommendation may be different due to the logistics of posting the recommendation to the website. 3. The notice of appeal must be accompanied by a resolution of Council in support of the appeal. 4. The reasons for the appeal must be included in the resolution and shall reference the section(s) of the EMRB Regulation and/or the Edmonton Metropolitan Region Growth Plan that the submitted statutory plan does not conform.



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	<p>5. All appeals must be submitted by 4:30 pm at the EMRB offices on or before the 28th day of the appeal period. If the 28th day falls on a weekend or statutory holiday, the appeal deadline is extended to the end of the next business day at 4:30 pm. A notice of appeal will be accepted by email at info@emrb.ca provided it includes a record of the Council resolution with the reasons for the appeal.</p> <p>6. If a notice of appeal is received within the appeal period, EMRB Administration shall send the notice of appeal, including the Council resolution, by email to the Applicant Municipality, EMRB Members, and CAOs, within one business day of receiving the appeal. Further, the notice of appeal, including the Council resolution, will be posted to the EMRB website.</p> <p>7. An appeal period does not end with the submission of a notice of appeal. Appeals will continue to be accepted until the final day of the appeal period.</p> <p>8. If a REF Application is appealed and the appeal period ends within 10 working days of an upcoming Board meeting, the REF will be added to the agenda of the following Board meeting.</p> <p>9. EMRB Administration will present the appeal(s) at the Board meeting the REF Application is presented. The Municipality(s) that submitted the appeal will be identified by EMRB Administration, however, they are under no obligation to speak to the appeal at the Board meeting.</p>
7	<p>Edmonton Metropolitan Region Board Review and Decision</p> <p>An Application is considered by the Board if a EMRB Administration Recommendation is to not approve the Application or if a Member Municipality appeals the EMRB Administration Recommendation to approve an Application.</p> <p>At a Board meeting, the Applicant Municipality and EMRB Administration must be afforded the opportunity to address the Board (Section 7.3 of the REF). Participation of administration from the Applicant Municipality is at the discretion of the Board member of Applicant Municipality.</p> <p>The content of the presentation by the Applicant Municipality must be focused solely on compliance with the Growth Plan and must not include new information not already considered as part of the REF evaluation or appeal (if applicable).</p> <p>The Applicant Municipality and its designated presenters, which can only include the proponent of the application for the purposes of answering questions, are also able to respond to questions from all Board members following the presentation.</p> <p>The Board must, by consensus, approve or reject the Application. If consensus is not reached, a formal vote of the Board must be conducted in accordance with the Edmonton Metropolitan Region Board Regulation (Section 7.2 of the REF).</p> <p>If an Application is reviewed by the Board, following a decision, EMRB Administration will issue a letter to the Applicant Municipality indicating approval or rejection of the Application (copied to Board members, CAOs and the REF Consultant).</p> <p>Decisions of the Board on REF applications, under s. 13 of the Edmonton Metropolitan Region Board Regulation, are final and not subject to appeal except as provided for in the dispute resolution and appeal bylaw established by the Board pursuant to s. 708.08(1) of the Act.</p>