

Subdivision and Development Appeal Board Bylaw

Report Purpose

To give three readings to Bylaw 56-2017, a bylaw that proposes to repeal and replace Bylaw 55-2011, the Subdivision and Development Appeal Board Bylaw.

Recommendation

1. THAT Bylaw 56-2017, the Subdivision and Development Appeal Board Bylaw, be given first reading.
2. THAT Bylaw 56-2017 be given second reading.
3. THAT Bylaw 56-2017 be considered for third reading.
4. THAT Bylaw 56-2017 be given third reading.

Strategic Plan Priority Areas

Economy: n/a

Governance: Ongoing review of bylaws is a best practice for municipalities.

Social: n/a

Culture: n/a

Environment: n/a

Other Impacts

Policy: n/a

Legislative/Legal: Bylaw 56-2017 addresses the changes needed to be made to Bylaw 55-2011 due to the changes to the *Municipal Government Act*.

Interdepartmental: n/a

Summary

For the past few years the Alberta Government has been making changes to the *Municipal Government Act*, RSA 2000, c M-26, by way of the *Municipal Government Amendment Act* (2015, Bill 20), the *Modernized Municipal Government Act* (2016, Bill 21), and *An Act to Strengthen Municipal Government* (2017, Bill 8). Additionally, the Alberta Government has been creating and amending various regulations, including the *Subdivision and Development Appeal Board Regulation*. One of the most notable changes for the Subdivision and Development Appeal Board is the addition of mandatory training of both members and clerks. This training will be controlled and regulated by the Alberta Government.

Administration has reviewed the above mentioned amending statutes and applicable regulations, and recommends that the existing Subdivision and Development Appeal Board Bylaw (Bylaw 55-2011) be updated to reflect legislation changes. In order to facilitate this update, Administration has prepared Bylaw 56-2017 that will repeal and replace Bylaw 55-2011.

Most of the changes in the proposed bylaw relate directly to changes in the legislation. Further, Administration has removed duplicative provisions that already exist in the *Municipal Government Act*, and updated the format and wording so that it is easier to read.

One additional change that Administration has included in the proposed bylaw is a change in the membership of the Subdivision and Development Appeal Board to 5 members, instead of 5 members and 2 alternate members. Due to the low volume of hearings for the Subdivision and Development Appeal Board, the alternate members rarely have the opportunity to sit for a hearing. Additionally, quorum for a hearing is met by the

attendance of 2 members, and so the Subdivision and Development Appeal Board will still be able to carry on its business even if 3 of its members are unable to attend.

Given that the recruitment of public members to the Subdivision and Development Appeal Board is in progress and interviews are taking place during the first week of November, Administration suggests that Bylaw 56-2017 be given three readings today so that the number of appointments to be made for terms starting in January 2018 is confirmed. However, Bylaw 56-2017 will not come into effect until January 1, 2018.

Enclosures

- 1 Bylaw 56-2017 - Proposed Subdivision and Development Appeal Board Bylaw
- 2 Bylaw 55-2011 - Existing Subdivision and Development Appeal Board Bylaw