

## 2018 Calgary Subdivision and Development Appeal Board Appointments

### EXECUTIVE SUMMARY

The terms of all Calgary Subdivision and Development Appeal Board ("SDAB" or "Board") members expire on 2017 December 31. Consequently, Council must appoint members to the SDAB for 2018.

#### ADMINISTRATION RECOMMENDATIONS:

That Council:

1. Consider the SDAB Nomination Committee recommendation to appoint the individuals named in Attachment 1 to serve as members on the SDAB for the proposed terms of appointment;
2. Permit the member named in Attachment 8 to sit on concurrent Boards;
3. Direct that Attachments 1, 4 and 8 remain confidential under sections 24 of the *Freedom of Information and Protection of Privacy Act* until Council rises and reports at the 2017 November 20 Combined Meeting of Council; and
4. Direct that Attachments 2, 3, 5 and 9 remain confidential under sections 17 of the *Freedom of Information and Protection of Privacy Act*.

### PREVIOUS COUNCIL DIRECTION / POLICY

On 2009 July 27, Council adopted the recommendation contained in Report PAC2009-21 which, in part, related to identifying relevant qualifications to consider for applicants. Additionally, it established a process of interviewing applicants and screening them prior to recommendations going to Council.

On 2013 May 27, Council adopted the recommendation contained in Report PFC2013-0431 to increase the number of SDAB members, allow for appointments of up to two years, and implement other organizational changes to the SDAB.

On 2015 July 27, Council adopted the recommendation of the City Solicitor's *Report on SDAB Matters* and gave three readings to Bylaw 30M2015 to prohibit the appointment of Councillors to the Board, establish a 10-year time limit for members (to begin in 2016), and address other succession-planning matters.

On 2017 May 08, in order to afford more flexibility in the appointment of members, Council adopted the recommendations contained in Report PFC2017-0326 to amend the SDAB Bylaw and gave three readings to Bylaw 24M2017 to eliminate the distinction between regular members and supernumerary members. Following the revision of the SDAB Bylaw, all remaining supernumerary members were converted to regular members.

### BACKGROUND

The *Municipal Government Act* ("MGA") requires municipalities to establish, by bylaw, a subdivision and development appeal board. This is accomplished by section 3(a) of the SDAB Bylaw whereby Council must appoint members to, and appoint a Chair to, the SDAB.

*Number of members*

## **2018 Calgary Subdivision and Development Appeal Board Appointments**

The SDAB Bylaw stipulates that 15 to 25 members must be appointed to the SDAB. Council's 2017 appointments brought the total number of members to 25. Two members resigned mid-year.

### *Length of appointment*

The SDAB Bylaw permits Council to appoint members for one- or two-year terms, with a term maximum of ten years (commencing 2016 January 01). This is to encourage the staggering of terms, which helps to preserve organizational knowledge and ease the transition between the outgoing and incoming complement of members.

### *Qualifications of members*

In order to be appointed as a member, an individual must not be a: City Employee, person who carries out subdivision or development powers, duties and functions on behalf of the City, member of the Calgary Planning Commission, or a member of Council.

Each applicant confirmed they have been a resident of Calgary for the six months immediately preceding appointment, and remain a resident for the duration of his or her term, and are at least 18 years old.

Members also confirmed that they possess a strong interest in the complexities and challenges of development in the City, and experience in one or more of the following areas: (a) the operation of quasi-judicial boards or administrative tribunals; (b) community representation or knowledge of community issues; (c) architecture; (d) law; (e) engineering / construction; (f) urban planning / land use / development.

## **INVESTIGATION: ALTERNATIVES AND ANALYSIS**

### *Applications received*

The recruitment campaign garnered 48 applications: 21 from incumbent members, 24 from new external candidates, plus three late submissions. The late submissions were not considered by the SDAB Nominations Committee.

The SDAB Nominations Committee included the incumbent SDAB Chair and First Vice Chair. The SDAB Nominations Committee indicated that the application and interview process aided its assessment of the experience and qualifications, and selection of the recommended candidates.

Members bring a wide range of experience and subject-matter expertise to the Board. Attachment 3 summarizes the diversity of expertise and competencies of the recommended candidates to the 2018 SDAB, and it provides a breakdown based on qualifications for membership that were adopted by Council contained in Report PAC2009-21.

The SDAB Nominations Committee recommends 25 members be appointed to the SDAB and their respective terms as outlined in Attachment 1. The recommendation will ensure continuity of expertise through the re-appointment of current members and new expertise achieved through the appointment of new applicants to the SDAB.

### *Recommended applicant for appointment on two Boards*

One of the recommended candidates was appointed by Council to another Board. Section 5.13.4 of the Council policy on *Governance and Appointments of Boards, Commissions and Committees* provides that, "[t]o encourage a broad degree of citizen participation, no Public Member shall serve concurrently on more than one BCC unless Council determines there is a need." This

## **2018 Calgary Subdivision and Development Appeal Board Appointments**

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member has contributed positively to the SDAB while serving on another Board. The SDAB Nominations Committee recommends that the candidate identified in Attachment 8 be appointed notwithstanding their concurrent appointment to another Board.

### **Stakeholder Engagement, Research and Communication**

Letters were mailed to current members whose terms were expiring at the end of 2017 in order to solicit their interest in re-appointment. The application deadline was 2017 October 03.

A campaign promoting the opportunity to apply for the SDAB ran from 2017 September 05 to 2017 October 03. Advertising, notices and articles inviting applications appeared as indicated in Attachments 6 and 7. Calgary Neighbourhoods' Diversity Coordinator was also engaged to conduct email outreach to assist with inviting a diverse range of applicants from different communities.

### **Strategic Alignment**

The recommendations in this report align with Council's priority relating to a well-run city and with Council's policy on *Governance and Appointments of Boards, Commissions and Committees* (CP2016-03).

### **Social, Environmental, Economic (External)**

None.

### **Financial Capacity**

None.

### ***Current and Future Operating Budget:***

None.

### ***Current and Future Capital Budget:***

None.

### **Risk Assessment**

Board appointments must be determined in a timely manner so that Administration can provide adequate notice periods to the successful applicants and schedule training prior to the 2018 January 01 term commencement.

### **REASON FOR RECOMMENDATIONS:**

Council must appoint members to the Subdivision and Development Appeal Board annually.

### **ATTACHMENTS**

1. Attachment 1— Recommendations for Appointments and Terms to the 2018 Subdivision and Development Appeal Board
2. Attachment 2— Chair's letter regarding the interview panel's recommendations
3. Attachment 3— 2018 SDAB Recommended Applicants' Background and Experience Matrix (as reported on application)

**2018 Calgary Subdivision and Development Appeal Board Appointments**

4. Attachment 4— 2017 SDAB member biographies
5. Attachment 5— Applications of the recommended candidates
6. Attachment 6— Calgary Herald advertisement
7. Attachment 7— Marketing Activities for Recruitment: 2018 Calgary Subdivision and Development Appeal Board
8. Attachment 8 – Recommendation for Member to Sit on Concurrent Boards
9. Attachment 9 – Remaining 2018 SDAB Applicants' Background and Experience Matrix (as reported on application)