

AMENDMENT TO VARIOUS BYLAWS – PDA REORGANIZATION

EXECUTIVE SUMMARY

Amendments to a number of bylaws are required as a result of the organizational realignment in Planning, Development & Assessment (PDA). The affected bylaws are: the Development Authority Appointment Bylaw 10P99, the Business Licence Bylaw 32M98, the Massage Licence Bylaw 52M2012, the Dating and Escort Service Bylaw 48M2006, the Body Rub Licence Bylaw 53M2012, the Combative Sports Commission Bylaw 53M2006, the Calgary Off-site Levies Bylaw 34M2011, the Centre City Levy Bylaw 38M2009 and the West Pine Creek Sanitary Trunk Off-site Levy Bylaw 41M2010.

ADMINISTRATION RECOMMENDATION(S)

That Council give three readings to Bylaw 40M2014.

PREVIOUS COUNCIL DIRECTION / POLICY

On 2011 November 21, Council approved the business plan for Planning, Development & Assessment (PDA), which includes Strategy 2P3: Re-engineer and simplify the planning process, including consideration of a new land use regime in order to implement the Municipal Development Plan. In response to this direction, PDA is undertaking an organizational re-alignment.

BACKGROUND

The PDA organizational realignment is approaching transition to the new structure, which will be effective 2014 May 01. Changes to a number of bylaws and delegated authorities have been identified as necessary to complete the transition and to maintain business continuity.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

The Municipal Government Act (MGA) requires a municipality to establish development authorities by bylaw. City Council has enacted the Development Authority Appointment Bylaw which gives the powers and authority of a development authority to the Calgary Planning Commission and the Director, Development & Building Approvals (DBA). This allows the development authority to exercise development powers and duties on behalf of The City of Calgary, including approving and refusing development permits. The bylaw also authorizes the Director, DBA to appoint employees of The City of Calgary as development authorities.

In the new PDA structure there will no longer be a Director, DBA. Accordingly, the power to appoint development authorities needs to be granted to another position in order to ensure that business within PDA can continue within the new organizational structure.

Bylaw 40M2014 (provided in the Attachment) amends the Development Authority Appointment Bylaw to change the delegation from the Director, DBA to the City Manager. This will more

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closely align with other delegations within PDA and across The City. The amendment will also allow the City Manager to provide letters of delegation to employees to act as development authorities as required. The designation of the Calgary Planning Commission as a development authority will remain.

The City of Calgary Off-site Levy Bylaw, the Centre City Levy Bylaw and the West Pine Creek Sanitary Trunk Off-site Levy Bylaw (the “Off-site Levies Bylaws”) currently name the Manager, Urban Development as having the authority to vary the date by which a levy imposed pursuant to the Off-site Levies Bylaws must be paid. Effective 2014 May 01, the Manager, Urban Development position will no longer exist. Accordingly, the power to vary payment dates needs to be granted to another position to ensure that business within PDA can continue within the new organizational structure. Bylaw 40M2014 amends the Off-site Levies Bylaws to change that authority from the Manager, Urban Development to the City Manager. The City Manager may then provide a letter of delegation to an employee to exercise that authority as needed.

The Business Licence Bylaw, and the Massage, Dating and Escort, Body Rub and Combative Sports Commission bylaws currently refer to DBA as an entity with which the Chief Licence Inspector may consult prior to issuing or renewing a licence. As noted above, since DBA will no longer exist after 2014 May 01, Planning, Development and Assessment is the appropriate department with which the Chief Licence Inspector should consult, and Bylaw 40M2014 proposes the necessary changes to reflect that.

Stakeholder Engagement, Research and Communication

Not required – the amendment to the various bylaws will have no effect on external stakeholders. This change will ensure that PDA core business can continue to be performed after 2014 May 01.

Strategic Alignment

This amendment will ensure that business in PDA can be maintained and that the department can continue to align with other City of Calgary policies and bylaws.

Social, Environmental, Economic (External)

There are no Social, Environmental or Economic implications related to these amendments.

Financial Capacity

Current and Future Operating Budget:

The changes proposed will have no effect on current or future operating budgets.

Current and Future Capital Budget:

The changes proposed will have no effect on current or future capital budgets.

Risk Assessment

There are no risks associated with the proposed changes to the bylaws identified. If Council were to decide not to give three readings to the amending bylaw, there is a risk that business continuity could be compromised as of 2014 May 01.

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REASON(S) FOR RECOMMENDATION(S):

The proposed change to these bylaws will ensure that business in Planning Development & Assessment can continue within a new organizational structure, effective 2014 May 01.

ATTACHMENT(S)

Bylaw Number 40M2014