



## Calgary Subdivision and Development Appeal Board Report

### MANDATE

The Calgary Subdivision and Development Appeal Board (SDAB) (Board) hears appeals regarding decisions made by the City of Calgary Subdivision and Development authorities and renders decisions based on the evidence presented. The Board is independent from Planning and Development, and is comprised of citizen members required to be residents of Calgary. The SDAB makes decisions in an impartial manner, and applies the principles of natural justice and procedural fairness to the entire process, which includes (but is not limited to) the right to a public hearing; a duty to be fair; the right for all affected parties to be heard; the right to an adjournment if the SDAB determines it is merited; and the right to legal counsel. Please refer to [www.calgarysdab.ca](http://www.calgarysdab.ca) for further information on our activities and mandate.

### COMPOSITION

The SDAB composition, as stated in the City of Calgary Land Use Bylaw 1P2007, is a minimum of 15 and a maximum of 25 residents of Calgary. The current SDAB complement is 21, and represents a balanced gender profile of people with experience/skillsets in the fields of architecture, design, urban and transportation planning, engineering, project management, real estate, finance, law, development, community involvement, human resources, business, and others.

### ANNUAL UPDATE & KEY ACCOMPLISHMENTS

- **Provide a summary of the committee's work that has been completed in the last year.**  
To fulfill its mandate, the SDAB hears appeals throughout the year and renders decisions on those appeals. The SDAB heard 59 appeals in 2022, and issued 66 written decisions. (This discrepancy can be explained by appeals being staggered over the 2021/2022 time period with written decisions on appeals rendered in 2021 being issued in 2022.) The Board along with SDAB administration and the Board's legal counsel also convened for internal procedural meetings and participated in various training sessions with both internal and external facilitators. The SDAB also interviewed candidates for the 2023 year, and made recommendations for the Board's composition to City Council.
- **What are the initiatives and projects the committee is currently working on?**  
The SDAB is currently compiling standard conditions of approval for those appeals which were not approved by the Subdivision or Development Authority but overturned or amended by the Board. We are preparing to return to in-person hearings at some point, but have determined that, for the foreseeable future, all hearings will be held virtually. New technology has been installed in our main hearing room to be able to transition to paperless hearings once we are back in person.
- **Are there any accomplishments achieved or opportunities presented that Council should be aware of?**  
Throughout 2022, we succeeded in holding effective hearings virtually through the MS Teams platform. We provided written decisions to appeals in a record-breaking 12.4 days after the conclusion of the hearing. (The Municipal Government Act (MGA) requires a maximum 15-day turn-around time.) We have received feedback from the public that our decisions are clear,



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understandable, and concise, and that the quick turn-around is greatly appreciated, particularly by parties wishing to commence development in a timely manner. A number of our decisions were appealed to the Alberta Court of Appeal, with leave being granted to only two of these appeals. We support these leaves as they will provide precedence on complex issues that current and past bylaws were unclear about, allowing us to make more confident decisions going forward.

The Board heard 3 subdivision permit appeals, and 64 development permit appeals. Of the development permit appeals, a majority of the appeals centred on a combination of multi-residential development and single detached dwellings. Other appeals included appeals regarding accessory residential buildings, home occupations, secondary suites, retail and consumer services, cannabis stores and single detached dwellings with accessory residential buildings, among others. 13 decisions made by the Subdivision or Development Authority were overturned by the Board, while 16 were amended.

- **Consider what tangible impacts the work of the committee has had on the wellbeing of people that live, work, and play in Calgary.**

The SDAB affords the opportunity for Calgary's citizens to challenge decisions made by the Subdivision and Development Authorities and, in many cases, the challenges are upheld by the Board. This can be of great benefit to people wishing to subdivide or develop their properties, and can also be of great benefit to those opposing developments that may affect the use, value, and enjoyment of citizen's properties.

### CHALLENGES

- **Provide details to any challenges or limitations the committee faced within the past year.**

The SDAB faced no challenges or limitations in 2022. City administrative staff were exemplary in delivering service to the Board and to the public.

### WORKPLAN FOR THE NEXT YEAR

- **Provide an outline of the committee workplan for the year 2023-2024.**

The SDAB will continue to hold regularly scheduled hearings as required by the MGA and the City of Calgary Land Use Bylaw 1P2007. Our long-range plans call for the resumption of in-person hearings and continued performance in issuing fair, well-reasoned decisions with the timelines dictated by the MGA.

### OPERATIONS

- **Describe how the Board, Commission or Committee has been operating, including, but not limited to:**

- **Number of meetings held since May 2022 (include task force or sub-committee meetings)**

The SDAB held 57 meetings since May 2022.

- **How did Members participate in meetings (remote, hybrid?)**



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All public hearings were held virtually; however, a few internal task force and sub-committee meetings were held in person.

- **How was public participation in meetings incorporated (access to meetings, agendas or minutes)**

The public is invited to attend all hearings of the SDAB as advertised through the SDAB website at [www.calgarysdab.ca](http://www.calgarysdab.ca). Further, as required by law, affected parties are informed in writing of appeals having been registered against developments in the parties' communities.

- **Any barriers to accessibility and participation?**

The only barrier we experienced in our remote meetings in 2022 was the lack of proper technologies by a limited number of parties to fully participate in the hearings. They were able to participate by telephone in these circumstances. No complaints about this process were registered.

- **Any issues or opportunities you would like to note for future operations as we move from pandemic to endemic protocols?**

None.

- **Other**

None.

### ATTACHMENTS

N/A

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Bill Chomik".

**Bill Chomik, Chair**  
Calgary Subdivision and Development Appeal Board