

BYLAW NUMBER 35M2015

**BEING A BYLAW OF THE CITY OF CALGARY
TO AMEND BYLAW 25P95, THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD BYLAW

WHEREAS Council has approved PFC2015-0518 and considers it necessary to amend the Subdivision and Development Appeal Board Bylaw 25P95, as amended;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. Bylaw 25P95, The Subdivision and Development Appeal Board Bylaw, as amended, is hereby further amended.
2. Subsection 4(1) is deleted and replaced with:
“4(1) No person shall be appointed as a member of the Board:
 - (a) who is an employee of the City,
 - (b) who carries out subdivision or development powers, duties and functions on behalf of the City,
 - (c) who is a member of the Calgary Planning Commission, or
 - (d) who is a member of Council.”
3. Subsections 4(2) and 4(3) are deleted in their entirety.
4. The words “who are not members of Council” in subsection 4(4)(b) are deleted.
5. The following is added after subsection 4(4)(b) as subsections 4(4)(c), (d), (e), (f), (g), and (h):
 - “(c) A member of the Board shall not serve more than:
 - (i) a cumulative maximum of ten (10) years as a regular member; and
 - (ii) a cumulative maximum of five (5) years as a supernumerary member.
 - (d) Despite subsection (c), if a member reaches the maximum number of years of service, they may conclude the current term for which they have been appointed.
 - (e) Despite subsection (c), Council may appoint a member who has reached the maximum number of years of service for one (1) additional term of up to two (2) years, if Council determines that it is in the interest of the Board to do so.
 - (f) Any years served by a member of the Board prior to 2016 January 1 will not be included in the calculation of the maximum cumulative years in subsection (c).
 - (g) Council shall annually appoint by resolution a Chair after considering the recommendations of the Board.

- (h) Supernumerary members may not be appointed as the Chair.”
- 6. In subsection 4(7) the words “who is not a member of Council” are deleted.
- 7. In subsection 4(9) the words “, excluding those members who are members of Council,” are deleted.
- 8. The following is added after subsection 4.1(b) as subsection 4.1(b.1):
 “(b.1) Of the members appointed pursuant to subsection (b), Council shall appoint a Chair of the Board.”
- 9. In subsection 4.1(c) the words “, (2) and (3)” are deleted.
- 10. In subsection 4.1(e) the words “a Chair of the Board and may appoint” are deleted.
- 11. Subsection 6(1) is deleted and replaced with:
 “(1) The members of the Board must annually appoint a first Vice-Chair and a second Vice-Chair prior to the first hearing of an appeal of a calendar year.”
- 12. Subsection 6(2) is deleted and replaced with:
 “(2) Supernumerary members may not:
 (a) vote for the appointment of the first Vice-Chair or second Vice-Chair; and
 (b) be appointed as the first Vice-Chair or second Vice-Chair.”
- 13. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS ___ DAY OF _____, 2015.

READ A SECOND TIME THIS ___ DAY OF _____, 2015.

READ A THIRD TIME THIS ___ DAY OF _____, 2015.

MAYOR
SIGNED THIS ___ DAY OF _____, 2015.

CITY CLERK
SIGNED THIS ___ DAY OF _____, 2015.