

CITY OF FORT SASKATCHEWAN

Bylaw C21-15 Subdivision and Development Appeal Board Bylaw

Motions:

1. That Council give first reading to Bylaw C21-15 for the City of Fort Saskatchewan Subdivision and Development Appeal Board.
2. That Council give second reading to Bylaw C21-15 for the City of Fort Saskatchewan Subdivision and Development Appeal Board.
3. That Council provide unanimous consent to proceed with third and final reading of Bylaw C21-15 for the Subdivision and Development Appeal Board for the City of Fort Saskatchewan.
4. That Council give third reading to Bylaw C21-15 for the City of Fort Saskatchewan Subdivision and Development Appeal Board.

Purpose:

Is to update the Subdivision and Development Appeal Board (SDAB) Bylaw C21-15 in relation to refunding of appeal fees and member remuneration.

Background:

The SDAB Bylaw was previously adopted in 2011 (C11-11 attached). A review was undertaken to determine current trends and best practices related to a SDAB. Based on that research, proposed revisions have been made to the Bylaw. Primary changes include no longer refunding appeal fees, remuneration for SDAB Members, and updating a number of clauses to reflect current practices.

Sixteen municipalities in Alberta were contacted and it was determined that a majority of them do not refund appeal fees. Legislation does not require municipalities to refund SDAB appeal fees, therefore Bylaw C21-15 has been amended to reflect this as well. A significant amount of Board and administrative time is required to follow legislated requirements throughout the SDAB appeal process, therefore this amendment to the Bylaw has been included.

Based on the nature of the SDAB and the impacts of its decisions, it is important for Members to attend training which helps them to perform their duties. Proposed changes to the *Municipal Government Act* would also require mandatory training for all SDAB Members. Appeals could be received at any time throughout the year, and Hearings (scheduled during workday hours) must be held within 30 days of their receipt. SDAB statistics for 2015 show that the City has received 16 appeals, compared to 7 in 2014. Consistent with a majority of the municipalities surveyed, provision has been included in the Bylaw for SDAB Members to receive remuneration for their time attending Hearings and training.

Financial Implications:

If approved, there would be a financial impact of paying Board remuneration. However, if appeal fees were no longer be refunded, this would assist with offsetting remuneration costs.

Internal Impacts:

There would be no additional internal impacts resulting from the passing Bylaw C21-15.

Alternatives:

1. That Council give three readings to Bylaw C21-15 for the City of Fort Saskatchewan Subdivision and Development Appeal Board.
2. That Council not proceed with three readings of Bylaw C21-15, and advise how they wish to proceed.

Recommendation:

That Council give three readings to Bylaw C21-15 for the City of Fort Saskatchewan Subdivision and Development Appeal Board.

Enclosures:

1. Bylaw C21-15
2. Bylaw C11-11

File No.:

Prepared by:	Brenda Molter, Director, Legislative Services	Date: October 6, 2015
Approved by:	Trevor Harder, Acting General Manager, Corporate & Protective Services	Date: October 7, 2015
Reviewed by:	Kelly Kloss, City Manager	Date: October 7, 2015
Submitted to:	City Council	Date: October 13, 2015