



REQUEST FOR DECISION

MEETING DATE: June 26, 2023

TITLE: Subdivision and Development Appeal Board Term Change

DIVISION: Corporate Services

SUMMARY:

Due to issues regarding the legislatively mandated training, the current term of the Subdivision and Development Appeal Board (SDAB) members started on October 1, 2021 and ends on September 30, 2024. These term dates do not align with the Jan 1 start date and December 31 end date of the City's other boards and committees. The result is that the recruitment period for the SDAB in 2024 would have to occur prior to the recruitment for the City's other boards and committees, creating operational inefficiencies. It also may cause confusion for residents if recruitment periods for the City's boards and committees do not align. Accordingly, Administration is recommending that the SDAB member's term end date be amended from September 30, 2024 to December 31, 2023.

PROPOSED MOTION:

THAT the term of the Subdivision and Development Appeal Board members be amended to end on December 31, 2023, rather than September 30, 2024.

BACKGROUND / ANALYSIS:

At the September 27, 2021 Council meeting, Council passed the following motion:

THAT the following individuals be appointed as members of the Subdivision and Development Appeal Board for a term starting October 1, 2021, and ending September 30, 2024:

Paul Hanlan, Josline Hampson Stefanick, Christina Kortmeyer, Sean Cunningham, John Fraser, Tim Ormsbee, Katherine Wallace, Liam McGrath, Tim Tully.

There are currently eight members of the SDAB as one of the original appointees had to resign due to securing employment with the City of Spruce Grove. As per the SDAB Bylaw, Spruce Grove employees cannot be a member of the SDAB.

Reason for the Current SDAB Term Dates

With respect to the term of the SDAB, unlike the City's other board and committees, the start date of the term is not January 1 and the end date is not December 31. When the SDAB members were appointed in 2021, the reason the terms did not align with the January 1 - December 31 term template was because of issues regarding the timing of the previous SDAB members legislatively required training and that of the incoming SDAB members. Specifically in 2021:

- Of a total of six previous SDAB members, three had served three terms and were not eligible to be reappointed. The other three who were eligible to be reappointed expressed that they did not wish to be appointed for a third and final time and that they were stepping aside to let new members be appointed to the SDAB.
- Training of SDAB members is mandatory as per the *Municipal Government Act* and the training must be renewed every three years. Members are not allowed to sit on hearings until they have completed their training.
- The training of all the previous members expired in November 2021. Since training is provided by legal counsel, it did not make sense to train the outgoing members, both from a cost or time perspective.
- Since all six previous members were not going to be reappointed and all their training expired in November 2021, if the current members had been appointed with their term to start January 1, 2022, then the SDAB could have been in a situation where it had no trained board members for six weeks, which would have been very problematic if an appeal had been received during that time frame.
- To mitigate the issue of having no trained SDAB members, by appointing the current members with a three-year term starting October 1, 2021 and having the term of the previous members end on October 15, 2021, there was a short overlap of term dates which allowed time for new members to be trained.

Challenges with Current SDAB Term Dates

The challenges with a term start date of October 1 is that it does not align with any of the City's other board and committee term start dates, and therefore the recruitment period for the SDAB would have to be a couple of months before the recruitment period for the City's other boards and committees. This causes inefficiencies operationally and may cause confusion for residents if recruitment periods for boards and committees do not align.

Proposed Solution to Current SDAB Term Dates

Administration recommends that the term of current members be shortened to end December 31, 2023 rather than September 30, 2024. The recruitment for the SDAB can then occur this year at the same time as the other boards and committees. Based on this, the upcoming new term of the SDAB would be January 1, 2024 - December 31, 2026. To mitigate any training challenges:

- Training would be scheduled for the first week of January to ensure there is little delay between the appointment and training; and
- Future appointments are recommended to be staggered with half of members having a three-year term and the other half a two-year term.

Please note, the term of the SDAB members cannot be extended because the SDAB Bylaw prevents this, indicating that “The term of office for all Members shall be not more than three years”.

OPTIONS / ALTERNATIVES:

Council may choose to defeat the motion and not amend the SDAB term. However, this means Administration will have to recruit for SDAB at a different interval from the City’s other boards and committees.

CONSULTATION / ENGAGEMENT:

n/a

IMPLEMENTATION / COMMUNICATION:

The SDAB members have been contacted and made aware of the possible amendment to their term and the rationale for the amendment. If Council approves the amendment, the SDAB members will be notified accordingly.

IMPACTS:

The recruitment period for the SDAB will be aligned with the City’s other boards and committees, ensuring efficiencies and effective use of resources.

FINANCIAL IMPLICATIONS:

n/a