



NOTICE OF MOTION

Submitted in accordance with Procedure Bylaw C-8277-2022

Presented By: Reeve Crystal Kissel, Division 3
Seconded By: Deputy Reeve Don Kochan, Division 2

This notice of motion is read into the Council record on **March 12, 2024**. The motion as read into the record will be debated on **March 26, 2024**.

TITLE: Member Composition of the Subdivision and Development Appeal Board

WHEREAS the County's Subdivision and Development Appeal Board is established by Council in the *Appeal and Review Panel Bylaw C-7717-2017* in accordance with Part 17 of the *Municipal Government Act* to hear appeals on decisions made by the County's subdivision or development authority;

AND WHEREAS the Subdivision and Development Appeal Board is an arms-length quasi-judicial tribunal that must be impartial when hearing appeals, owing a duty of fairness to all participants;

AND WHEREAS Council is committed to ensuring the impartiality and independence of the Subdivision and Development Appeal Board;

AND WHEREAS Council is the governing body that passes municipal legislation that regulates land use and the Subdivision and Development Appeal Board interprets this municipal legislation in its decisions;

AND WHEREAS Council acts as subdivision or development authority for some applications;

AND WHEREAS the current membership of the Subdivision and Development Appeal Board includes one Councillor which may lead to real or perceived conflicts between the duties of a Councillor and the duties of the Subdivision and Development Appeal Board;

THEREFORE BE IT RESOLVED THAT Administration prepare amendments to the *Appeal and Review Panel By-law C-7717-2017* that includes changes to the member composition of the Subdivision and Development Appeal Board so as to be comprised of nine Members at Large only;

AND THAT the amendments be presented to Council for consideration at the April 9, 2024 Regular Council Meeting;

AND THAT the member composition amendment take effect following approval of an amended *Appeal and Review Panel Bylaw C-7717-2017*, factoring in the Subdivision and Development Appeal Board's needs such as vacancies and active hearings and decisions.