

January 16, 2024

To: Members  
Development Appeals Board

Re: 2024 Nominating Subcommittee Appointments, Hearing and Meeting Schedule

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**RECOMMENDATION**

That the Development Appeals Board:

- Approve its 2024 hearing dates to be held at 5:30 p.m. on the following Tuesdays:

March 12	August 13
April 16	September 17
May 14	October 15
June 11	November 12
July 16	December 17
  
- Determine decision meeting dates immediately following the scheduled Hearing, adhering to the following criteria:
  - Held within two weeks of the hearing date to prevent a delay in rendering decisions; and
  - Meet the legislated timelines, when feasible, or on an alternate day to be determined by the Secretary, in consultation with the Chairperson;
  
- Approve its first meeting or hearing for 2025, as described in the Discussion section of this report, to be held at 5:30 p.m. on Tuesday, January 14, 2025;
  
- Direct the Secretary to monitor the number of appeals and the hearing schedule; and consult with the Chairperson to schedule additional hearings and meetings as required;
  
- Appoint the Vice-Chairperson and another Board member to the Nominating Subcommittee as outlined under the Discussion section of this report; and
  
- Approve its Nominating Subcommittee meeting to be held on October 7, 2024, at 2:00 p.m.

**ISSUE**

To facilitate a decision of the Development Appeals Board on the dates and times for hearing

appeals in 2024, and on appointing members to the nominating subcommittee.

## IMPACTS

### **Financial Impacts**

The 2024 budget includes funding for the operation of the Development Appeals Board.

## OTHER OPTIONS

The Board may choose to alter the proposed hearing dates and times.

There are no other options with respect to the nominating subcommittee appointments, as the recommendation follows an annual governance process implemented by the City Clerk's Office.

## COMMUNICATIONS & ENGAGEMENT

The meeting schedule for the Development Appeals Board will be provided to interested parties. Hearing dates are published on the City of Regina's website and notices pertaining to each property under appeal are issued in accordance with legislation.

## DISCUSSION

### **Hearing Dates and Annual General Meeting**

Section 217(1) of *The Planning and Development Act, 2007* reads as follows:

“Meetings of and hearings by the board are at the call of the secretary in consultation with the chairperson of the board.”

Further, section 222 reads:

“(1) Subject to subsection (2), within 30 days after the receipt of a notice of appeal, the board shall hold a public hearing respecting that appeal.

(2) If a board holds regularly scheduled meetings at least once each month, the board may hold a public hearing respecting the appeal at the first or second regularly scheduled meeting following the receipt of the notice of appeal.”

It is expected that approximately 10-15 appeals will be heard during 2024. It is proposed that hearings to consider appeals be scheduled once per month and meetings for finalizing decisions be held immediately following the hearing or on an alternate date within two weeks of the hearing, to be determined by the Secretary, in consultation with the Chairperson.

Due to the volume of appeals received each year, it has been traditional for the Development Appeals Board to set regular hearing and meeting dates at the beginning of each year. It is important to involve members of the Board in setting the schedule to ensure that a quorum will be present at each meeting.

Over the years, the Board has adopted various meeting schedules. Prior to 2018, hearings had been arranged bi-weekly for the full year, with adjustments made when needed.

In May 2018, due to changes in *The Planning and Development Act, 2007*, there was a drastic increase in the appeal application fee, resulting in a subsequent decrease in appeals filed – from 51 in 2017 to 31 in 2018; 26 in 2019; 17 in 2020; 5 in 2021; 7 in 2022; and 12 in 2023. In 2021 and 2022, the decrease in appeals may be attributed to COVID-19 and changes to the Zoning Bylaw. In response to the decreases, hearings have been scheduled once per month. Decision meetings have historically been scheduled on the same day of the hearing, after the hearing has adjourned. There are some circumstances where decision meetings will have to be scheduled on an alternate date. In the event a decision meeting is required to be scheduled on an alternate date, the meeting should be scheduled immediately following the hearing to prevent a delay in rendering decisions and still allow for legislated timelines to be met.

It is proposed that the appeal hearings for 2024 be held at City Hall, on the following dates at 5:30 p.m.:

March 12	August 13
April 16	September 17
May 14	October 15
June 11	November 12
July 16	December 17

It is also proposed that the Development Appeals Board select a date for its first Hearing in January 2025. Based on this year's schedule, it is proposed the Board hold its first Hearing of 2025 on Tuesday, January 14 at 5:30 p.m.

Historically, the Board holds an Annual General Meeting (AGM) early in the year to serve as an orientation for new members if applicable, to approve the year's hearing schedule, to review the Board's previous year activity, and to review the Board's policies and procedures. Should no appeal applications be received in time for the January hearing, the Board may hold the AGM on the first scheduled hearing date or at any time in Q1.

The Secretary, in consultation with the Chairperson, will generally limit the number of appeals to four at any given hearing. If the Office of the City Clerk receives more than four appeals for a hearing, consideration will be given to the need for another hearing to consider the remaining appeals, which would be held on a date determined by the Secretary, in consultation with the Chairperson. Conversely, should no appeals be received by the monthly application deadline, the hearing will be cancelled.

The meeting schedule should be adopted on the understanding that any hearings or meetings that are not necessary would be cancelled, and that additional hearings or meetings would be scheduled, as needed.

### **Nominating Subcommittee and Annual Nominating Subcommittee Meeting**

A review of the annual appointment process to boards, committees and commissions of Council was conducted in 2022. It was identified that a new informal governance process be adopted for nominating applicants to City Council, to be appointed to a board, committee or commission of Council. In previous years the informal nominating process included the Chairperson of the board and the Mayor. As a result, a nominating subcommittee is to be established for each quasi-judicial board, committee and commission of Council where citizen members are appointed to them.

#### Composition of the Nominating Subcommittee

<b>Subcommittee Composition</b>	<b>Exceptions to the Nominating Subcommittee Composition</b>
Chairperson	<ol style="list-style-type: none"><li>1. In the event the chairperson has an expiring term within that same year, the Vice Chairperson will be required to be appointed to the nominating committee.</li><li>2. In the event the Vice Chairperson has an expiring term within that same year, then another member of the Committee is to be appointed that does not have an expiring term within that same year.</li></ol>
Board Member	One member that does not have an expiring term within that same year.
Mayor	

#### Nominating Subcommittee Meeting and Role

The nominating subcommittee meeting is scheduled in conjunction with the annual appointment process timelines to ensure the target date is met for the report that is required to be prepared for Council's consideration. This meeting must be scheduled in 2024 from October 1 to October 11.

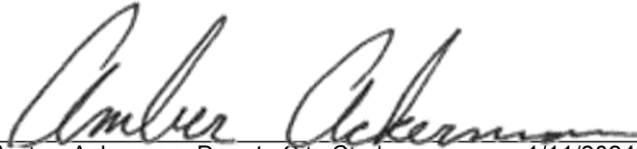
The role of the nominating subcommittee is to review the applications that are received, to fill any Board vacancies, by the application deadline and submit a list of recommended nominees to City Council for their consideration to approve for appointments based on the evaluation criteria that will be provided to the committee. The nominating subcommittee may also be called upon to meet and consider applications for any vacant position that becomes available during the year, due to a resignation on the board, prior to December 31, 2024.

DECISION HISTORY

The Development Appeals Board has the authority to appoint a Chairperson and Vice-Chairperson, appoint Nominating Subcommittee members, and establish its meeting/hearing dates and times.

Respectfully submitted,

Respectfully submitted,



Amber Ackerman, Deputy City Clerk

1/11/2024



Jim Nicol, City Clerk

1/12/2024

Prepared by: Janice Hudson, Secretary of the Development Appeals Board