

## Jurisdictional Scan - Planning &amp; Development Related Appeal Boards

City	Appeal Board	Mandate	Composition	Qualifications	Appointment Term	Remuneration
Victoria	Board of Variance	Reviews appeals for minor variances where compliance with the City's <i>Zoning Regulation Bylaw</i> would cause undue hardship. It also deals with matters regarding additions and structural alterations to non-conforming buildings. It does not address matters related to land use, density limits, parking variances or landscape variances	5 citizen members appointed by Council  City provides board with a secretary	City employees, Council members and members of the City's Advisory Planning Commission not eligible to be appointed as voting members	3 year terms	Rate equivalent to the Living Wage in British Columbia (\$24 an hour).
Vancouver	Board of Variance and Parking Variance Board	Both boards hear appeals on decisions about zoning, parking, development, signage and tree matters. The Board hears decisions made under the <i>Zoning and Development Bylaw</i> , <i>Sign Bylaw</i> , <i>Protection of Trees Bylaw</i> and <i>Parking Bylaw</i>	Both boards consist of the same 5 members of the public, appointed by Council  City employees are non-voting members who serve the purposes of being the secretary and other officials	Experience in the building industry  City employees and Council members not eligible to be appointed as voting members	3 years, no limit  Chair is appointed by members and serves 1 year term and may serve more than 1 term	Receive reimbursement of expenses incurred necessarily in the conduct of their duties including the cost of transportation between their homes or offices and board meetings or for inspection trips to view sites that are the subject of appeals  \$200 per meeting
Calgary	Subdivision and Development Appeal Board	Quasi-judicial board established in accordance with <i>Municipal Government Act</i> and City of Calgary Bylaw 25P95. Hears appeals regarding decisions made by the City's subdivision and development authorities and renders decisions based on evidence presented	15 to 25 citizen members appointed by Council	Resident of Calgary, at least 18 years of age  Cannot be City employee or member of Council  Cannot be someone who carries out subdivision or development powers, duties and functions on behalf of the City  Cannot be a member of the Calgary Planning Commission	Term is 1 or 2 years, maximum of 10 years	Remuneration is per diem of \$320 and reimbursement of eligible expenses

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Calgary	Calgary International Airport Development Appeal Body	Hears appeals on decisions of the General Manager, Planning & Transportation Policy Business Unit arising in accordance with the terms and conditions of the "Agreement on Land Use, Development Guidelines and Acreage Assessment Levies", section 5	4 members of the public appointed by Council and the Authority	The Chairperson must be experienced in chairing tribunals and should have a background in planning, either through professional qualifications and/or practical experience by serving on or appearing before boards or commissions which deal with planning matters, such as Councils, Municipal Planning Commissions, Development Appeal Boards, and the like	3 year terms – chair 3 years, all other members only until specific appeal they were appointed to has been resolved	No remuneration or reimbursement of expenses
Regina	Development Appeals Board	The Board hears and considers appeals to zoning regulations in accordance with the duties and powers set out in <i>The Planning and Development Act, 2007</i> (sections 219 to 226)	5 citizen members appointed by Council	<p>Applicants should have experience in hearing appeals or in meetings that involve and adjudication process. This is a remunerated position</p> <p>Duties of members: attending board meetings and assigned hearings, must follow board policies and procedures, review appeal dockets in preparation for hearings, contributes at hearings by taking accurate notes and participating in discussions/deliberations, writes appeal decisions as assigned</p>	3 year terms, unlimited number of terms	<p>Chairperson is paid \$60 for each appeal hearing, decision meeting and formal board meeting attended</p> <p>Each member other than the chairperson or acting chairperson is paid \$30 for each appeal hearing, decision meeting and formal board meeting attended</p> <p>Each member receives \$15 for each site inspection conducted in the course of duties</p>

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Edmonton	Subdivision and Development Appeal Board	Hear those appeals as required by the <i>Municipal Government Act</i> from persons affected by a decision of the Development Authority and the Subdivision Authority	<p>Up to 30 members</p> <p>Has 1 to 2 panels running every Wednesday and Thursday throughout the year. There may be hearings on Tuesday or Friday as required</p> <p>Members are scheduled for hearings on a rotational basis and availability</p> <p>Member participation of the board's professional development program is required, which occurs throughout the year</p> <p>Meet in panels of at least 3 at the direction of the chair, 1 or more panels may meet simultaneously</p> <p>Panels have the same powers, duties and responsibilities of the Board and a decision of a panel is deemed to be a decision of the board</p> <p>City Manager appoints a City employee as a clerk to the board</p> <p>Clerk convenes a panel when notice of appeal is received</p> <p>If chair is a member of a panel the chair is the presiding officer, if the chair is not a member of a panel the chair appoints the presiding officer</p>	<p>Member participation of the board's professional development program is required, which occurs throughout the year</p> <p>City employees, members of Council and members of the municipal planning commission are not eligible for appointment</p>	<p>1 year terms up to a maximum of 9 consecutive years</p> <p>Council appoints the chair for a 1 year term</p>	<p>The remuneration is the same as for the Community Standards and License Appeal Committee, reimbursement of expenses</p>

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Toronto	Toronto Local Appeal Body	Hears and decides on appeals of Committee of Adjustment decisions for minor zoning variances and land severances	<p>10 public members</p> <p>Chair is appointed by Council and vice-chair is appointed by the Committee from among its members</p> <p>City (Court Services Division) provides administrative support</p>	<p>Cannot be a member of Toronto's Committee of Adjustment, a land division committee or planning advisory committee member</p> <p>Former members of Council who served in the immediately preceding term of Council are ineligible for appointment</p> <p>Members cannot act as agents for applicants before the Committee of Adjustment, Toronto Local Appeal Body and other City administrative tribunals</p> <p>Members should have the following qualifications:</p> <ul style="list-style-type: none"> <li>• experience in adjudication and mediation</li> <li>• knowledge and experience with land use planning and planning law</li> <li>• knowledge of or background in urban forestry and environmental planning</li> <li>• excellent listening skills and ability to analyze complex evidence</li> <li>• sound judgement, tact, fairness and decorum</li> <li>• ability to write clearly and concisely</li> <li>• demonstrated high ethical standards and integrity</li> <li>• ability to work under pressure to ensure timely hearing decisions</li> <li>• respect for access to justice, diversity and accommodation</li> </ul> <p>Chair should have the following qualifications:</p> <ul style="list-style-type: none"> <li>• demonstrated leadership and administrative skills</li> </ul>	4 year terms	<p>Members receive:</p> <ul style="list-style-type: none"> <li>• \$600 per diem for full day hearings or mediation, business meetings and training sessions</li> <li>• \$400 for half day hearings or mediation, business meetings and training sessions (less than 3.5 hours)</li> <li>• Remuneration for decisions including: <ul style="list-style-type: none"> <li>○ \$50 for withdrawals</li> <li>○ \$200 for motions, interim, summary and order decisions</li> <li>○ \$400 for review requests</li> <li>○ \$400 for final decisions</li> </ul> </li> </ul> <p>In addition to receiving the remuneration for a member, the chair shall receive \$60,000 annually, the vice chair shall receive \$15,000 annually and public members shall receive \$1,500 annually</p>

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