

The City's Quasi-Judicial Boards include the Assessment Review Board (ARB), the Subdivision and Development Appeal Board (SDAB) and the Licence and Community Standards Appeal Board (LCSAB).



Calgary Quasi-Judicial Boards 2014 Annual Report

This 2014 Annual Report for the Calgary Quasi-Judicial Boards is the first to be released by the Boards on an annual basis. This report, and future reports like it, will be issued electronically to inform Council and Calgarians about the work of the Boards. I hope that you find it informative and useful.

The Boards are supported by the Quasi-Judicial Boards division (QJB) of the City Clerk's Office. The mission of the City Clerk's Office is to deliver open, accessible and impartial government for Calgarians, Council and the Corporation, through expertise and innovation, and in accordance with legislation.

QJB staff supported openness for the Boards in 2014 with the publication of SDAB decisions through the CanLII.ca website and the open data catalogue. ePortal, the ARB's online complaint filing website launched in 2014, now provides 24/7/365 service accessibility for the public. Legislative compliance was a key concern for staff as they supported a pilot project to assess the efficiency and effectiveness of a new procedural and jurisdictional hearing process for the SDAB.

The QJB division continues to pursue improvement of the quality and accessibility of services for Calgarians and the Boards. I thank both staff and the Boards for supporting innovation while carrying out the essential day-to-day work of the Boards, and offering excellent service to those who rely on Board processes.

Jeremy Fraser
Manager, Quasi-Judicial Boards

Quasi-Judicial Boards

Assessment Review Board 2014 Report

The Calgary Assessment Review Board (ARB) is an independent quasi-judicial board charged with hearing complaints of property and business assessments issued by The City of Calgary. The Board is dedicated to conducting public hearings in a fair and equitable manner and rendering decisions of the highest standard, as mandated by governing legislation.

The Calgary ARB members are appointed by City Council pursuant to provisions of the Municipal Government Act, other supporting legislation and The City of Calgary Bylaw 25M2010. Administrative support for the Board is provided by staff of the City Clerk's Office, not the Assessment Business Unit.



2014 Complaints

2014 annual business and property assessment notices were mailed out on January 3, 2014 with the final date for filing of complaints being March 4, 2014. 3474 complaints were received, a decrease from the 3777 which were received in 2013. 2014 complaints were resolved as follows:

| Result | # | % |
|--|------------------|----------------|
| Complaint withdrawn | 652 | 18.77% |
| Parties reached mutual agreement | 259 | 7.46% |
| Assessment confirmed | 1478 | 42.54% |
| Complaint dismissed | 58 | 1.67% |
| Assessment revised | 1006 | 28.96% |
| Still to be heard | 1 | 0.03% |
| Waiting for hearing decision | 1 | 0.03% |
| Complaints declared invalid | 19 | 0.55% |
| Total | 3,474 | 100.00% |
| ARB decisions appealed to Court of Queen's Bench | 286 ¹ | 8.23% |

[1] Some appealed ARB decisions relate to multiple assessments, all of which are accounted for in the above figure. A total of 79 such decisions were appealed.



Quasi-Judicial Boards

Assessment Review Board 2014 Report

Hearings before the Local Assessment Review Board (LARB) commenced on April 28, 2014 and for Composite Assessment Review Board (CARB) on June 9, 2014. Annual complaint hearings were completed November 26, 2014. Amended and supplemental complaints were resolved by May 4, 2015.

At the request of the Board, the Minister of Municipal Affairs extended the statutory deadlines for concluding some 2013 parking complaints. These complaints were resolved on January 27, 2014.



Recruitment and Training

During September 2013, the ARB ran ads in local papers for new members. Seventeen applications were received, eight were interviewed and two new members were selected. During 2014, one member resigned to pursue other interests.

The Board conducted its second annual Spring Training Conference in partnership with the Alberta Municipal Government Board. This event provided valuable training and development for members, and complements the Administrative Justice and Assessment training provided by the province.

Court Challenges

Under the present legislation, the only avenue of appeal for a party that is dissatisfied with a Board decision is to the Court of Queen's Bench. Appeals can only be on point of law or jurisdiction.

79 appeals were filed at Queen's Bench in 2014. The total number of appeals outstanding from the past 5 years stands at 189.

Administrative Innovation

2014 was the first year that the Assessment Review Board received assessment complaints through its new online ePortal system, which offers citizens and tax agents an opportunity to file and manage their complaints online. The Board's administration was pleased to learn that approximately 71% of complaints were received online.

The Board wishes to thank the Manager of Quasi-Judicial Boards, as well as the ARB Coordinator and staff for their administrative support and dedication in 2014. Without that support, the year would not have been as successful as it was.

Walter A. Paterson
General Chairman, Calgary Assessment Review Board

Quasi-Judicial Boards

Subdivision and Development Appeal Board 2014 Report

The 2014 Annual Report of the Calgary Subdivision and Development Appeal Board (SDAB or Board) contains information on the 2014 operations of the SDAB, with statistics on appeal volumes, types of appeals and decisions rendered.



| Subdivision & Development Appeal Board | | |
|--|------|------|
| | 2013 | 2014 |
| Number of Meetings | 58 | 67 |
| Number of Appeals Processed | 236 | 186 |
| Number of Appeal Hearings | 182 | 176 |
| Number of Decisions | 157 | 143 |
| Withdrawals | 25 | 33 |

The volume of appeals filed with the Calgary SDAB in 2014 decreased; however, the total number of appeals in relation to the total number of development permits processed by the Development Authority remains steady at three per cent, as in previous years. In total, 68 per cent of the Authority's decisions were upheld, an increase of 3 per cent over 2013.

The Board experienced an increase in complexity of the appeals. Appeals of development permits continue to be highest in the inner city wards. The majority of those appeals pertain to single detached and semi-detached homes. There was a reduction in appeals regarding smaller developments such as decks, fences, garages, etc. Relatively, there was an increase in appeals withdrawn.

In 2014, the Board saw a number of changes. For instance, in 2014 the size of the Board increased to 15 Board members and five supernumerary members. In addition, effective January 1, 2014 the fee for filing an SDAB appeal increased from \$25 to \$100, and the filing fee became refundable when appeals are withdrawn prior to the commencement of the hearing, or at the discretion of the SDAB if its hearing has commenced.

Also in 2014, the Board started procedural and jurisdictional hearings on a pilot project basis. This process is to manage hearing timelines and to address, in appropriate cases, procedural and jurisdictional matters at the beginning of hearings. Sixty-one per cent of appeals went through this process. This resulted in more efficient scheduling of appeals and a reduction in additional adjournment requests by parties to the appeal, but required the scheduling of additional meetings. It also enhanced disclosure of evidence prior to the hearings and increased the number



Quasi-Judicial Boards

Subdivision and Development Appeal Board 2014 Report

of compromises reached between the parties about the appealed development.

The Board underwent rebranding in 2014. A new logo was created and incorporated in all communication mediums (i.e. letterhead, brochure, business cards, etc.) to emphasize the arms length position of the Board as a quasi-judicial tribunal independent from The City of Calgary. As part of this process a new website is in development which will be launched in 2015.

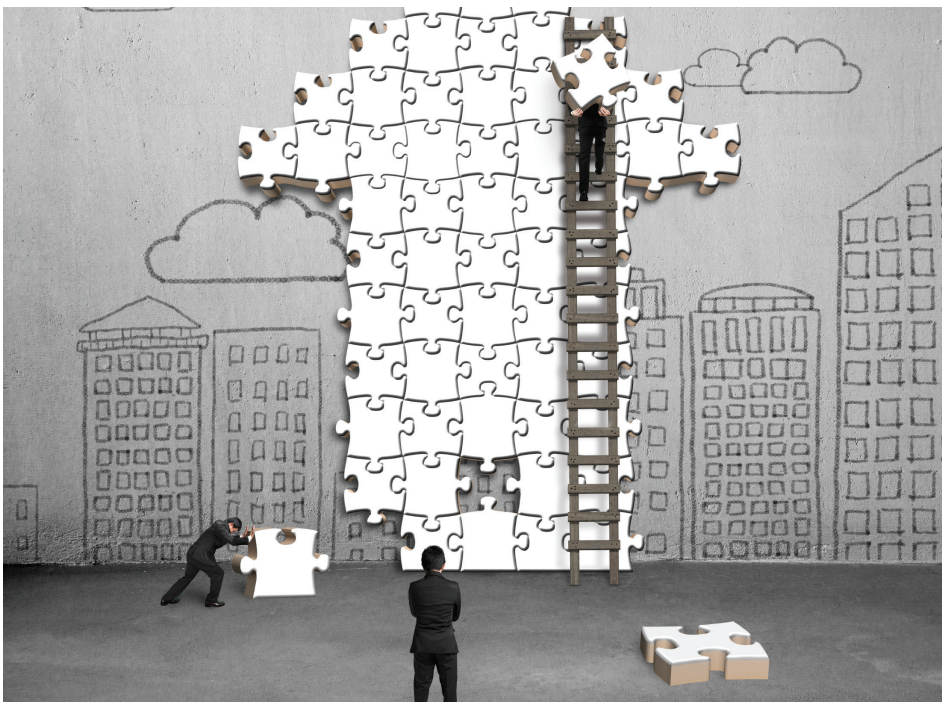
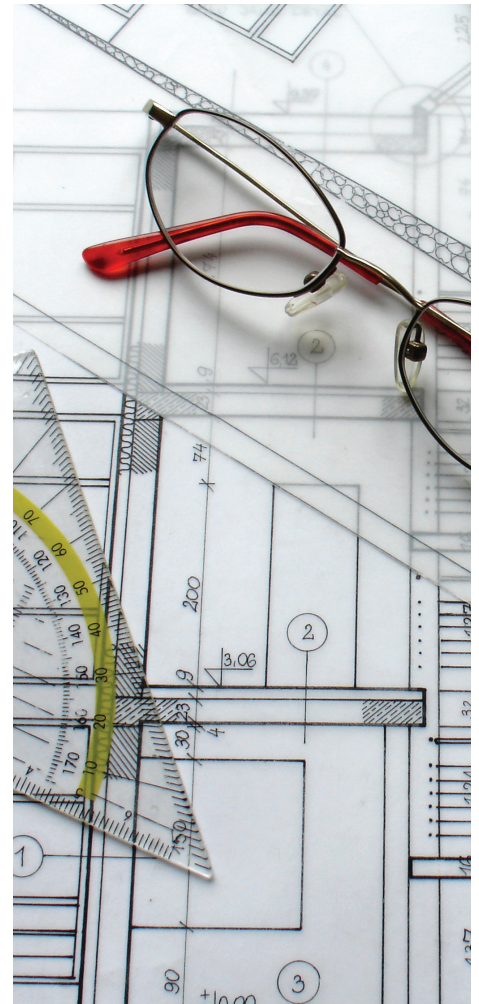
In 2014, the Calgary SDAB became the first municipal tribunal in Canada to list its decisions on the website of the Canadian Legal Information Institute (CanLII). The website provides free access to court judgments and tribunal decisions throughout Canada, making the Board's decisions more accessible and searchable, at no cost to the Board or the citizens of Calgary. Additionally in 2014, the SDAB began to make its decisions available on The City's open data catalogue.

Finally, I would like to thank the Board members from 2014 for their public service, the SDAB Administration for their dedicated service, the Board Solicitor for providing legal counsel, and the participants in the appeal process for enabling the Board to discharge its duties and obligations under the requirements of the Municipal Government Act.

H. J. (Rick) Grol, Chair
Calgary Subdivision and Development Appeal Board



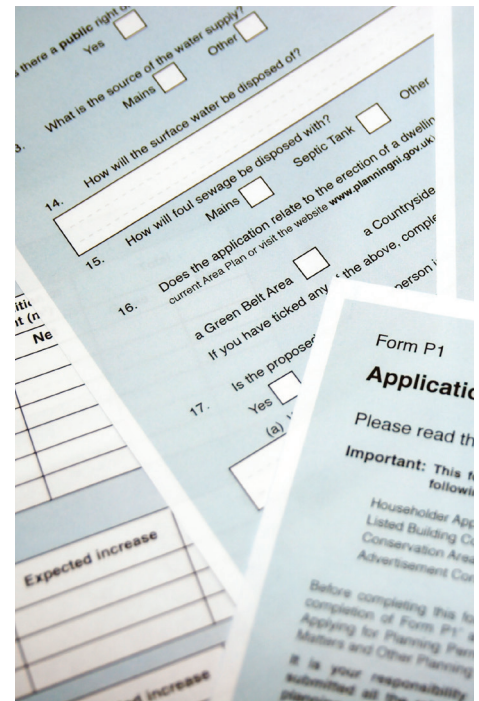
Subdivision
& Development
APPEAL BOARD



Quasi-Judicial Boards

Licence and Community Standards Appeal Board 2014 Report

The Calgary Licence and Community Standards Appeal Board (LCSAB) is a quasi-judicial board of The City of Calgary. The authority under which the Board operates and hears appeals is Section 8 of the Municipal Government Act, and City of Calgary Bylaw 50M2011.



| Licence & Community Standards Appeal Board | | |
|--|------|------|
| | 2013 | 2014 |
| Number of Meetings | 2 | 4 |
| Number of Appeals Received | 8 | 11 |
| Number of Decisions | 5 | 3 |
| Withdrawals | 3 | 8 |

In 2014, 11 appeals were filed with the Board. Three appeals were related to taxi licences under the Livery Transport Bylaw, and two were appeals under Sections 545 and 546 of the Municipal Government Act that relate to orders by the Chief Building Inspector to remedy building contraventions, safety issues, and unsightly premises concerns. Six were appeals of remedial orders related to neighbourhood nuisance, safety, and liveability issues. However, as eight of these appeals were withdrawn, the Board only issued three decisions in 2014. While this number is low, it is in keeping with the general trend over the past several years. There were no appeals related to the Business Licence Bylaw, Alarm Services Bylaw, or others.

The Board's composition remained the same in 2014 - consisting of five citizen members from a variety of diverse backgrounds in areas such as law, business, and community involvement.

Anyone with an interest in learning more about the Licence and Community Standards Appeal Board and its procedures, is invited to visit the Board's website at calgary.ca/lcsab.

I extend my sincere thanks to Board Members past and present for their dedication and hard work, as well as to the Board's counsel. Also, many thanks to the City of Calgary Appeal Board staff for their very competent assistance.

Rick Smith, Chair
Calgary Licence and Community Standards Appeal Board

