



Staff Report

Administration – Town Clerk

Report To: Committee of the Whole Meeting
Meeting Date: September 27, 2022
Report Number: FAF.22.157
Title: Committee of Adjustment Term, Consent Applications under the Planning Act, and Sign By-law Variance Requests
Prepared by: Corrina Giles, Town Clerk

A. Recommendations

THAT Council receives Staff Report FAF.22.157, entitled “Committee of Adjustment Term, Consent Applications under the Planning Act, and Sign By-law Variance Requests”;

AND THAT, it is noted that the last Committee of Adjustment meeting for the current term of Council is November 16, 2022;

AND THAT Council directs that in accordance with the requirements of section 54(7) of the *Planning Act*, effective November 1, 2022, authority to consider consent applications will be withdrawn from the Town of The Blue Mountains Committee of Adjustment;

AND THAT, in accordance with the requirements of the *Planning Act*, Council directs that effective November 1, 2022, applications for consent will be considered by Council of the Town of The Blue Mountains;

AND THAT, effective November 1, 2022, sign by-law variance requests will be considered by Council of the Town of The Blue Mountains

B. Overview

This staff report is providing information on the appointment of the Committee of Adjustment for the 2022 to 2026 term of Council and is seeking direction from Council to move consideration of sign by-law variance requests and applications for consent under the Planning Act, from the Committee of Adjustment to Council of the Town of The Blue Mountains.

C. Background

The Blue Mountains Committee of Adjustment is a five member Committee, with one member being a member of Council. In accordance with Section 44(3) of the *Planning Act*, the Council member is appointed annually.

The term of the Committee of Adjustment runs concurrent with the term of Council. The public Committee of Adjustment members hold office until their successors are appointed and are eligible for reappointment. Where a Committee of Adjustment member ceases to be a member before the expiration of the term, Council shall appoint another eligible person for the unexpired portion of the term.

In response to the June 18, 2018 Council direction, effective following the 2018 municipal election, the consideration of *Planning Act* consent applications and sign by-law variance requests were considered by the Committee of Adjustment.

Staff are seeking Council direction to return consideration of consent applications to Council. The Committee of Adjustment considers a significant number of minor variance applications at each monthly meeting. With the new meeting type, "Council, Public Meeting" staff feel that moving the consent applications back to Council for consideration at "Council, Public Meetings", would reduce the length of the Committee of Adjustment meetings and the workload to prepare for the already tight timelines of the Committee of Adjustment. It is noted that the "Council, Public Meetings" are scheduled monthly, and staff are of the opinion that considering consent applications would not be a strain on the monthly "Council, Public Meeting" agenda.

Staff are also recommending that applications for sign by-law variances return to Council, from the Committee of Adjustment. It is noted that the Committee of Adjustment receives very few applications for variances to the Sign By-law. The current process is that the Committee of Adjustment receives the application, makes a recommendation to Council on the requested sign variance, and that recommendation is then considered by Council. Returning Sign By-law variance applications to Council would significantly reduce the steps for consideration of Sign By-law variances. Staff propose that the sign variance applications would be considered by the Committee of the Whole, for recommendation and final decision by Council.

D. Analysis

The Municipal Election is October 24, 2022, with the Inaugural Meeting of the new Council being on Monday, November 21, 2022.

The Town Clerk will advertise to receive applications for Committee Appointments at the beginning of October. At the November 28, 2022 Council Meeting, Closed Session, the newly appointed Council will consider the applications received for appointment to the Committee of Adjustment. As is standard practice, those applicants that are selected will complete the reference check process and will be officially appointed at the December 12, 2022 Council Meeting.

Planning Staff will schedule training with the Committee of Adjustment members during the week of December 5 and 12. The first Committee of Adjustment meeting of the 2022 to 2026 Term of Council is Wednesday, December 21, 2022.

Because of the COVID-19 pandemic, Council passed a motion to allow electronic participation of all Committee Members in all Committee of Adjustment meetings, and to be counted in quorum, until December 31, 2022. Unless an emergency has been declared to exist in all or part of the municipality under the *Emergency Management and Civil Protection Act*, it is noted that commencing January 2023, Committee of Adjustment Members will be required to participate in the Committee of Adjustment meetings in person to be counted in quorum.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

F. Environmental Impacts

None

G. Financial Impacts

Public Members of the Committee of Adjustment are paid in accordance with Town of The Blue Mountains By-law 2005-04 being a By-law to provide payment for remuneration and expenses to Public Members of the Committee of Adjustment. In accordance with POL.COR.18.05 Travel, Business and Mileage Expense Policy Committee Members' attendance and mileage is collected each meeting by the Secretary Treasurer and submitted quarterly for reimbursement to the members.

H. In Consultation With

Shawn Everitt, Chief Administrative Officer
Will Thomson, Director of Legal Services
Adam Smith, Director of Planning and Development Services
Wayne DeWitt, Supervisor By-law Services
Travis Sandberg, Intermediate Planner
Shawn Postma, Senior Policy Planner
Kyra Dunlop, Secretary Treasurer, Committee of Adjustment

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required.

However, any comments regarding this report should be submitted to Corrina Giles, Town Clerk townclerk@thebluemountains.ca .

J. Attached

None

Respectfully submitted,

Corrina Giles
Town Clerk

For more information, please contact:
Corrina Giles, Town Clerk
townclerk@thebluemountains.ca
519-599-3131 extension 232

Report Approval Details

Document Title:	FAF.22.157 Committee of Adjustment Term, Consent Applications Under the Planning Act and Sign By-law Variance Requests.docx
Attachments:	
Final Approval Date:	Sep 16, 2022

This report and all of its attachments were approved and signed as outlined below:

Shawn Everitt - Sep 16, 2022 - 12:42 PM