



Staff Report

Planning & Development Services

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: April 30, 2024
Report Number: PDS.24.031
Title: Committee of Adjustment 2023 Annual Report
Prepared by: Carrie Fairley, Secretary-Treasurer

A. Recommendations

THAT Council receive Staff Report PDS.24.031, entitled "Committee of Adjustment 2023 Annual Report" for information.

B. Overview

This report is an annual report brought forward to Council to provide a summary of the Committee of Adjustment statistics regarding the number of applications received, the costs throughout the year and the revenue generated for the 2023 year.

C. Background

The Committee of Adjustment meets on the third Wednesday of each month, for a total of 12 meetings per calendar year. The format of these meetings is hybrid.

Since the Committee of Adjustment was established in September 2004, the Committee has received a total of 511 Minor Variance Applications.

The Committee of Adjustment term runs concurrent with Council. The 2022-2026 term of the Committee was comprised of the following members:

- Greg Aspin
- Michael Martin
- Duncan McKinlay
- Jim Oliver (Vice Chair)
- Robert Waind (Chair)

On February 22, 2024, Committee Member Greg Aspin resigned from the Committee. The Clerk's department has placed a call for letters of interest for appointment to the Committee of Adjustment, to fulfil the vacancy.

Robert Waind is the Chair of the committee for 2023 and Michael Martin was the Vice Chair. The position of Chair and Vice Chair is reviewed by the committee at the beginning of the year and if the committee chooses, they can appoint a new Chair and Vice Chair each year.

Staff support is provided to the Committee by Town Planning staff and the Secretary-Treasurer. Minor Variances Applications are circulated by the Secretary-Treasurer internally and externally. When comments are received from the commenting bodies or residents, those comments are forwarded to the Committee for their consideration. A summary of the comments is read aloud at the meeting. There is an opportunity for the public to provide Public Comments at the meeting. Town planning comments and recommendations are provided to the Committee members on each application through the Planning Staff Reports.

On May 17, 2023, the Committee appointed a new Secretary-Treasurer, Carrie Fairley.

Please note that on October 11, 2022, Council passed a resolution withdrawing the authority from the Committee of Adjustments to consider Sign By-law Variance Applications, Consent Applications, and Fence Variance Applications.

Table 1 below is a breakdown of the total number of Applications received in 2023 and the status of those applications.

Table 1: 2023 Applications

Application Type	Total	Granted	Denied	Deferred	Withdrawn	Appealed
Minor Variance	51	41	6	5*	1	0
Sign Variance	0	0	0	0	0	0
Fence Variance	0	0	0	0	0	0

*Note: Regarding the 5 deferred applications, 3 were then granted, 1 was withdrawn, 1 was denied, and 1 was an open application that was addressed at the January Committee of Adjustment meeting. However, they are included in the corresponding counts, so if you try to add up the different decision types, you will end up with a total count above 51. This is because a deferred application ultimately received a decision.

Table 2 is a breakdown of the revenues and Committee of Adjustment Member expenses collected over the past 5 years, including 2023.

Table 2: 5 Year Revenue vs. Cost

Year	2023 COA Budget	Revenue	Costs	2023 Member Expenses Budget	Member Expenses
2019	\$40,610	\$64,540	\$34,044	\$4,150	\$5,376
2020	\$46,338	\$40,634	\$39,171	\$4,350	\$450

2021	\$55,044.25	\$32,158.40	\$28,157.53	\$6,875	\$310
2022	\$58,943.44	\$215,493.60	\$18,765.43	\$2,269.10	\$9,350
2023	\$66,534.76	\$116,716.00	\$34,777.38	\$2,600	\$2,710.87
<p>Member expenses include memberships, travel, meals, accommodations, conferences/seminars/training and workshops.</p> <p><i>Please note that conferences and travel were cancelled in 2020 and 2021 due to the COVID-19 pandemic.</i></p>					

D. Analysis

2023 Trends in Minor Variance Applications

There were 51 Minor Variance Applications submitted to the Committee of Adjustment in 2023. Table 3 provides an overview of the number and general nature of the Minor Variance Applications receive by the in the past 3 years.

Table 3: Minor Variance General Trends

Year	Number of Applications	General Trends in Nature of Relief Requested
2021	43	<ul style="list-style-type: none"> • Increased setbacks for uncovered decks • Reduced setbacks to the 177.9 G.S.C. elevation • Increased building height for single detached dwellings • General Residential zone yard provisions to permit additions to dwellings with existing setback deficiencies • Accessory structure (including accessory apartment) setbacks
2022	58	<ul style="list-style-type: none"> • New permitted uses in Hazard Zones • Deck and porch setback encroachments • General Residential zone yard provisions to permit additions to legal non-complying buildings • Reduced setbacks to the 177.9 GSC elevation • Accessory building (including accessory apartment) and structure setbacks
2023	51	<ul style="list-style-type: none"> • 9 applications under Section 45(2), expansions to non-conforming uses, buildings or structures • 9 applications related to accessory apartments • 5 applications related to decks or porches • 5 applications related to accessory buildings • 12 applications related to additions

		<ul style="list-style-type: none">• Height, setbacks, lot coverage

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.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

None

G. Financial Impacts

All applications fees and budgetary impacts continue to be tracked by the Town's Finance Department through accounting processes.

H. In Consultation With

Heather McFarlane, Budget Analyst, Finance and IT
Carter Triana, Intermediate Planner
Adam Smith, Director of Planning and Development

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 Carrie Fairley, Secretary-Treasurer secretarytreasurer@thebluemountains.ca .

J. Attached

None

Respectfully submitted,

Carrie Fairley
Secretary-Treasurer

For more information, please contact:
Carrie Fairley, Secretary-Treasurer
secretary-treasurer@thebluemountains.ca
519-599-3131 extension 219

Report Approval Details

Document Title:	PDS.24.031 Committee of Adjustment 2023 Annual Report.docx
Attachments:	
Final Approval Date:	Mar 25, 2024

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

No Signature - Task assigned to Shawn Postma was completed by delegate Adam Smith

Shawn Postma - Mar 25, 2024 - 2:49 PM

Adam Smith - Mar 25, 2024 - 2:50 PM