



March 15, 2023

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Committee of Adjustment 2022-2026 Term

Role and Responsibilities of Committee Members

Presentation Outline

The purpose of this presentation is to assist in orienting Committee Members to their role and responsibilities per Town policies as well as legislative requirements.

Introduction

Overview Secretary Treasurer Support to the Committee

Applicable Corporate Policies to the Committee Members

Overview of Procedural By-law 2022-71

Planning Act

Key Dates and Meeting Policies

Meeting Flow

Secretary Treasurer - Administrative Support to Committee of Adjustment

Administrative Support to Committee

- Agenda and Minutes Preparation, in consultation with Chair and planning staff
- Provide procedural advice to the Committee Members
- Ensure public comments are circulated to the Committee Members

Administrative Support to Committee

- Mileage/Attendance tracking and submission for reimbursement for members
- Ensuring technology required for meeting in working order
- Conference and seminar registration for members
- Ontario Association of Committee of Adjustment and Consent Authorities (OACA) Membership registration



Corporate Policies Overview

Corporate Policies Overview

- Code of Conduct for Members of Council, Local Boards and Advisory Committees, POL.COR.21.06
 - Statement of Principle
 - “All Members to whom this Code of Conduct apply shall serve their citizens in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than the exercise of their official duties. Members shall seek to avoid conflicts of interest, both apparent and real. Members shall perform their duties and arrange their public and private affairs in a manner that promotes public confidence and will bear public scrutiny.”
 - Appendix E – Local Boards & Advisory Committee Members’ Code of Conduct

Corporate Policies Overview

- Travel, Business & Mileage Expense Policy, POL.COR.18.05
- Planning Staff Report Committee of Adjustment Renumeration Policy, PL.13.25, and By-law 2013-12
 - \$75.00 per Committee of Adjustment Meeting where member is in attendance
 - \$75.00 per half day attendance at meetings, training sessions or conferences (actual day(s) of the event)
 - \$110.00 per full day attendance at meetings, training sessions or conferences (actual day(s) of the event)
 - Mileage, expenses, including accommodation, meals, etc. in accordance with the Corporate Policy

Committee of Adjustment Procedural By-law 2022-71

Procedural By-law

1. Definitions
2. Communication Devices
3. Calling of Meetings
 - Note: Meetings are currently hybrid. Virtual attendance is permitted.
4. Quorum
 - 3 members required
5. Chair

Procedural By-law

6. Location of Meetings

7. Notice

8. Application Information

- Note: Regarding 8(b): Public Comments that are received are circulated in full to the Committee Members and summarized in accordance with the Town's Public Meeting Comments Policy, POL.COR.15.02

9. Conduct of the Meeting

Procedural By-law

10. Voting

- Note: The By-law indicates that voting can be made through a “show of hands”. However as meetings are hybrid, we verbalize our voting for the benefit of the recording and for those attending virtually.
- Note: Regarding 10(c): Members cannot be marked as “absent” if they are present for the vote. An “absent” vote is a vote in the negative. If a member has declared a pecuniary interest, the vote is marked as “conflict”

11. Declaration of Pecuniary Interest

- Note: Declarations of Pecuniary Interest are tracked and a Conflict Registry is publicly available on the Town’s Agendas, Minutes and Reports webpage.

12. Resignation and Dismissal

Planning Act

Planning Act – Powers of Committee

- Subsections 45(1) and (2)
 - Grant a minor variance from the provisions of a By-law
 - Permit the enlargement or extension of a legal non-conforming use
 - Permit the use of any land, building, or structure which, in the opinion of the Committee, conforms with the general uses in the By-law

Planning Act - Four Tests



Does the proposal maintain the general intent and purpose of the Official Plan?



Does the proposal maintain the general intent and purpose of the Zoning By-law?



Is the proposal minor in nature?



Is the proposal desirable for the appropriate development or use of the land, building or structure?

Key Dates and Meeting Policies

Key Dates

Meeting Date	Applications Due to Town Staff	Notices Circulated to Residents/Public	Staff Reports circulated to Applicants/COA Members	Appeals Due
January 18, 2023	December 21, 2022	January 3	January 13	February 7
February 15, 2023	January 18	January 31	February 10	March 7
March 15, 2023	February 15	February 28	March 10	April 4
April 19, 2023	March 22	April 4	April 14	May 9
May 17, 2023	April 19	May 2	May 12	June 6
June 21, 2023	May 24	June 6	June 16	July 11
July 19, 2023	June 21	July 4	July 14	August 8
August 16, 2023	July 19	August 1	August 11	September 5
September 20, 2023	August 23	September 5	September 15	October 10
October 18, 2023	September 20	October 3	October 13	November 7
November 15, 2023	October 18	October 31	November 10	December 5
December 20, 2023	November 22	December 5	December 15	January 9, 2024
January 17, 2024	December 20, 2023	January 2, 2024	January 12, 2024	February 6, 2024

Meeting Policies - Roles

- Role of Planning Staff
 - Provide expertise and professional advice on land use planning matters
 - Give a summary of the Staff Report when requested
 - Provide the Committee with a Staff Recommendation and Draft Decision
 - Act as a resource on any questions or clarification required throughout the meeting
- Role of the Chair
 - Facilitate meeting
 - Direct questions to Staff
 - Intervene in discussion, if necessary

Meeting Policies – Public Comment Period

The Role of the Chair

Monitor and Control:

- Excessive comments
- To open/close public commentary period
- Not enter into negotiations with applicants
- Ensure a fair and comprehensive discussion with COA members has occurred

Role of the Committee Members

- Exercise their own judgement on an individual file to determine if they are satisfied that an application has met the requirements under the Planning Act.
- Options for decisions include:
 - Approve (approve the application as submitted and proceed to building permit stage)
 - Approve With Conditions (approval will come into effect once all conditions have been satisfied by Town Staff).
 - Defer (defer the application to a later date for the applicant to obtain further information/ reports)
 - Refusal (reject the application)

Meeting Flow

Meeting Flow Outline

- Chair reads notice
- Planner confirms proper notice has been given
- Secretary-Treasurer reads comments received
- Planner gives summary of report
 - Committee questions
- Applicant/Agent present
 - Committee questions
- Public comment period
- Committee discussion
 - Committee questions to Staff/Applicant/Agent
- Committee vote to receive Staff Report
- Committee vote on decision



Thank you for your time