



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations, Planning and Development Services
Meeting Date: March 14, 2023
Report Number: PDS.23.012
Title: Committee of Adjustment 2022 Annual Report
Prepared by: Kyra Dunlop, Secretary Treasurer

A. Recommendations

THAT Council receive Staff Report PDS.23.012, entitled “Committee of Adjustment 2022 Annual Report” for information.

B. Overview

This report provides Council with a summary of the 2022 Committee of Adjustment statistics pertaining to the number of applications received, costs throughout the year and revenue generated.

C. Background

The Committee of Adjustment meets once per month, typically on the third Wednesday of each month, for a total of 12 times in a calendar year. Due to the end of the Provincial State of Emergency resulting from the COVID-19 pandemic as of July 2022, the Committee of Adjustment members met virtually for their meetings for the first two quarters of the year. Following the end of the Declared State of Emergency the Committee met in person in Council Chambers for their meetings for the balance of 2022.

Since the Committee of Adjustment was established in September 2004, the Committee has received a total of 460 Minor Variance Applications.

Since the delegation of Consent Authority to the Committee of Adjustment in 2018 the Committee has received 43 Consent for severance applications. Further to the recommendations made in [Staff Report FAF.22.157](#) Council passed a resolution on October 11, 2022 withdrawing the authority from the Committee of Adjustment to consider Consent Applications and Sign By-law Variances effective November 1, 2022. Consent Applications and Sign By-law Variance Requests received after November 1, 2022 will be considered at Council.

The Committee of Adjustment term runs concurrent to Council. The 2018 to 2022 term of the Committee was comprised of the following members:

- Peter Franklyn
- Jim Oliver
- Bill Remus
- Robert B. Waind
- Jim Uram (Council appointment)

The former Councillor Jim Uram passed away in October 2022. Council did not appoint a Council representative to the Committee to replace the vacant seat.

Robert B. Waind was the Chair of the Committee for 2022. This position rotates on an annual basis if the Committee so desires.

Staff support to the Committee is provided by Town planning staff and the Secretary/Treasurer. As Council is aware Minor Variance Applications are circulated internally and externally and when comments and/or recommended conditions are received they are forwarded to the Committee for their consideration. Members of the public also have an opportunity to provide Public Comments at the meeting. Town planning comments and recommendations are provided to the Committee members on each application by Planning Services through Staff Reports.

Table 1 is a breakdown of the total number of applications received in 2022 and their status.

Table 1: 2022 Applications

Application Type	Total	Granted	Denied	Deferred	Withdrawn	Appealed
Minor Variance	58	54	1	3	1	0
Consent (Total)	10	6	0	0	0	2
i) New Lot Creation	8	4	0	0	0	1
ii) Lot Addition	2	2	0	0	0	1
iii) Easement	0	0	0	0	0	0
Sign Variance	2	1	0	0	1	0
Fence Variance	0	0	0	0	0	0

Table 2 shows the application revenues and Committee of Adjustment member expenses collected over the past 5 years, including 2022.

Table 2: 5 Year Revenue vs. Costs

Year	Revenue	Costs	Member Expenses
2018	\$27,225	\$33,737 (budget \$40,610)	\$5,376 (budget \$4,150)
2019	\$64,540	\$34,044 (budget \$43,635)	\$4,132 (budget \$4,150)
2020	\$40,634	\$39,171 (budget \$46,338)	\$450 (budget \$4,350)
2021	\$32,158.40	\$28,157.53 (budget \$55,044.25)	\$310 (budget \$6,875)
2022	\$215,493.60*	\$18,765.43 (budget \$58,943.44)	\$2,269.10 (budget \$9,350)

Member expenses include memberships, travel, meals, accommodations, conferences/seminars/training and workshops.
Due to the COVID-10 pandemic, conferences and travel were cancelled during 2020 and 2021, and resumed in Autumn 2022.
*The total revenue generated is comprised of \$71,119.55 received through Consent Application (Severance) fees, and \$144,374.05 received through Minor Variance Application fees.

D. Analysis

2022 Trends in Minor Variance Applications

It is noted that 58 applications for Minor Variances were submitted to the Committee of Adjustment in 2022. Table 3 below provides an overview of the number and general nature of Minor Variance Applications received by the Town in the past three years.

Table 3: Minor Variance General Trends

Year	Number of Applications	General Trends in Nature of Relief Requested
2020	20	<ul style="list-style-type: none">• Technical variances as a result of delayed implementation of Zoning By-Law 2018-85 due to various site-specific appeals;• General Residential zone yard provisions to permit additions to dwellings with existing setback deficiencies;• Accessory Structure Provisions including front and side yard and maximum height provisions. It is noted that relief from

		accessory structure provisions generally decreased after implementation of Zoning By-Law 2018-65
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 dwelling units• 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

2022 Consent Applications

A total of 10 Consent Applications were received in 2022 compared to a total of 9 received in 2021. As of November 1, 2022, the Committee of Adjustment no longer reviews Consent Applications, and these types of applications will be considered at Council.

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

N/A

G. Financial Impacts

All application 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 & IT Services
Carter Triana, Planner
Shawn Postma, Manager of Planning

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. Any comments regarding this report should be submitted to Kyra Dunlop, secretarytreasurer@thebluemountains.ca

J. Attached

N/A

Respectfully submitted,

Kyra Dunlop
Secretary Treasurer

Shawn Postma
Manager of Planning

Adam Smith
Director of Planning and Development Services

For more information, please contact:

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Report Approval Details

Document Title:	PDS.23.012 Committee of Adjustment 2022 Annual Report.docx
Attachments:	
Final Approval Date:	Mar 3, 2023

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

Shawn Postma - Mar 3, 2023 - 9:20 AM

Adam Smith - Mar 3, 2023 - 9:29 AM