



Staff Report

Planning and Development Services

Report To: Committee of the Whole
Meeting Date: March 23, 2021
Report Number: PDS.21.023
Subject: Committee of Adjustment – Year End Report (2020)
Prepared by: Travis Sandberg, Planner I

A. Recommendations

THAT Council receive Staff Report PDS.21.023, entitled “Committee of Adjustment – Year End Report (2020)” for information.

B. Overview

This report provides Council with a summary of the 2020 Committee of Adjustment statistics pertaining to the number of applications received, costs throughout the year and revenue received.

C. Background

1. Since the Committee of Adjustment was established in September 2004, the Committee has received 359 Minor Variance applications;
2. Since delegation of Consent Authority to the Committee of Adjustment in 2018, the Committee has received 24 Consent for severance applications;
3. The Committee of Adjustment meets twelve times a year, typically on the third Wednesday of each month. Due to the Provincial State of Emergency caused by COVID-19, Committee of Adjustment Meetings were postponed from March 2020 and resumed in August 2020. As a result, the Committee of Adjustment met only seven (7) times in 2020;
4. Due to the Provincial State of Emergency caused by COVID-19, revisions were made to Committee of Adjustment Procedural By-law 2019-5 in 2020 to allow for virtual Public Meetings in order to adhere to public health guidelines. The revisions permit Committee Members to participate electronically during a declared state of emergency and were implemented in August 2020;
5. In 2020 Council endorsed increasing the number of the Committee of Adjustment members from three to five, including one council member. The additional Committee Members have all been appointed by Council as of the time of writing this report;

6. The current Committee was appointed by Council for a term to coincide with the term of Council with the following members:

Peter Franklyn

Bill Remus

Robert B. Waind

David Nathan

Deputy Mayor Rob Potter

At present, Robert B. Waind is the Chairperson for the Committee for 2021. This position rotates on an annual basis if the Committee so desires.

7. Committee support is provided by Town Planning Staff and Travis Sandberg, Planner I, currently serving as the Secretary-Treasurer;
8. As Council is aware, Minor Variance and Consent applications are circulated internally and externally and when comments and/or recommended conditions are received they are forwarded to the Committee for their consideration;
9. Town Planning comments and recommendations are provided to the Committee on each application by Planning Services in the format of Staff Reports;
10. The following table is a breakdown of the total number of applications received in 2020 and their status:

<u>Application Type</u>	<u>Total</u>	<u>Granted</u>	<u>Denied</u>	<u>Deferred</u>	<u>Withdrawn</u>	<u>Appeals</u>
Minor Variance	20	18	1	0	0	1¹
Consent (Total)	4	4	0	0	0	0
i) New Lot Creation	1	1	0	0	0	0
ii) Lot Addition	3	3	0	0	0	0
iii) Easement	1 ²	1	0	0	0	0
Sign Variance	0	0	0	0	0	0
Fence Variance	0	0	0	0	0	0
¹ LPAT Hearing has not yet been scheduled						
² Easement established as part of an application for lot addition						

11. Application revenues collected in 2020 are reflected below as well as the related Member Expenses:

Year	Revenue	Costs	Member Expenses ¹
2010	\$11,700.00	\$8,694.00 (budget \$9,850)	\$5,163.00 (budget \$4,250)
2011	\$15,488.00	\$15,820.00 (budget \$17,365)	\$3,601.00 (budget \$4,250)
2012	\$17,869.00	\$16,703.00 (budget \$17,410)	\$4,047.00 (budget \$4,250)
2013	\$17,860.00	\$11,546.00 (budget \$12,840)	\$3,845.00 (budget \$4,535)
2014	\$16,655.00	\$20,407.00 (budget \$21,335)	\$3,632.00 (budget \$4,550)
2015	\$14,850.00	\$33,075.00 (budget \$26,290)	\$4,230.00 (budget \$4,550)
2016	\$7,268	\$35,242 (budget \$29,920)	\$4,857 (budget \$4,050)
2017	\$14,865	\$34,725 (budget \$38,425)	\$9,245 (budget \$4,150)
2018	\$27,225	\$33,737 (budget \$40,610)	\$5,376 (budget \$4,150)
2019	\$64,540 ²	\$34,044 (budget \$43,635)	\$4,132 (budget \$4,150)
2020 ³	\$40,634	\$39,171 (budget \$46,338)	\$450 (budget \$4,350) ⁴

1. Includes memberships, travel, meals, accommodation, conferences/seminars/training workshops.
 2. Revenue includes Minor Variance Application Fees as well as Severance Fees. In previous years, only Minor Variance
 3. Unaudited amounts as of February 5, 2021.
 4. Due to the Covid-19 pandemic, conferences and travel were cancelled throughout 2020. The Committee of Adjustment also only met seven times in 2020, rather than twelve, due to public health restrictions and associated facility closures.

12. The 2020 OACA Conference was scheduled to be held in Niagara Falls, ON from May 10th to 13th inclusive. The annual Conference and Seminar were cancelled in 2020 due to the ongoing Provincial State of Emergency due to COVID-19. As such, no expenses were incurred in 2020 with respect to member attendance, accommodations, or travel associated with the annual OACA Conference and Seminar, respectively.

D. Analysis

2020 Trends in Minor Variance Applications

It is noted that twenty applications for Minor Variance were submitted to the Committee of Adjustment in 2020. **Table 3** provides an overview of the number and general nature of Minor Variance applications received by the Town in the past three (3) years.

Table 3: Overview of Minor Variance Applications 2018-2020

<u>Year</u>	<u>Number of Applications</u>	<u>General Trends in Nature of Relief Requested</u>
2018	28	<ul style="list-style-type: none"> • Accessory Structure Provisions including front and side yard provisions and height. It is noted that a number of these variances include those that apply to detached structures being converted for accessory dwelling unit uses; • General Residential zone yard provisions including front and side yard provisions to permit additions to existing structures; • General Residential zone provisions to permit increased lot coverage.
2019	27	<ul style="list-style-type: none"> • Technical variances as a result of delayed implementation of Zoning By-law 2018-65 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.
2020	20	<ul style="list-style-type: none"> • General Residential zone yard provisions to permit additions to dwellings with existing setback deficiencies; • Lot coverage and setbacks for uncovered decks and covered rear-yard decks; • Accessory Apartment Provisions related to conversion of existing structures to accessory apartment units.

Staff note that a number of variance inquiries continue to be received with respect to the conversion of Detached Accessory Structures for Accessory Dwelling Unit purposes. Common compliance issues in these types of requests relate to required yard provisions, i.e. setbacks, height, and dwelling unit size. Through pre-submission discussions, potential variance applications related to setback provisions for accessory apartments have also been directed to the Zoning Amendment Application process due to the scale of the deficient setbacks and potential for impact on neighbouring properties.

2020 Consent Applications

A total of four applications for consent were received by the Town in 2020 compared to a total of twenty applications having been received in 2019. While this is significantly fewer

applications compared to 2019, it is noted that an average of five consent applications were received in 2016, 2017, and 2018. As such, the number of 2020 consent applications received is representative of a typical year.

E. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles
Objective #1 Promote the Town as a Healthy Community

F. Environmental Impacts

N/A

G. Financial Impact

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

H. In consultation with

Trevor Houghton, Manager of Community Planning
Katherine Dabrowa, Budget Analyst, Finance and IT Services

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Travis Sandberg at planning@thebluemountains.ca.

J. Attached

Nil.

Respectfully submitted,

Travis Sandberg
Acting Secretary/Treasurer – Committee of Adjustment

Reviewed by:

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