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**2022-07-06**

**From:** Ben Suchomel, Planning Student

**Subject:** Changes to the Committee of Adjustment Structure

**Report:** PL.2022.35

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## Recommendation

That By-law 2022-042 being a by-law to Establish a Committee of Adjustment and Committee Procedures be approved in draft and presented at the July 13, 2022, meeting of Council for adoption.

## Background

At the [December 1, 2021 meeting of Council](#), Council approved RES2021-221, to change the existing Committee of Adjustment model from one consisting of all Council members, to a hybrid model that would consist of two (2) Councillors and three (3) citizen members. At that meeting, staff were directed to make all necessary changes and updates to [By-law 2011-019](#) to reflect the change to the Committee structure and to address any administrative changes required to bring the By-law up to date.

This report provides an overview of the changes, and the processes required to effect that change.

## Analysis

The Committee of Adjustment is delegated authority by the *Planning Act*, R.S.O. 1990, c. P.13 to consider applications for minor variances to the Zoning By-law and lot creation through severance applications.

The decisions made by Committee must reflect the governing planning documents including the *Planning Act*, the Provincial Policy Statement, Provincial Plans, the County of Grey Official Plan, the Township of Georgian Bluffs Official Plan, and the Township's Zoning By-law.

The current committee is comprised of 6 members and one chair, all being members of Council. The new structure proposes a total of four members and one chair with three (3) members being citizens. Council members and citizen members will be appointed for the four-year Council term.

### **Existing By-law, Proposed Changes and Benefits of New Model**

The current Committee of Adjustment by-law, By-law 2011-019 prescribes that the Committee consist only of Council members and states that Council members will be appointed annually, as part of the “terms of office”. The members are eligible for re-appointment and remain in place until their successor is selected.

By-law 2022-042 states that the Committee be comprised of up to three (3) citizen members and two (2) sitting Council members. The by-law allows the citizen members to be appointed by the outgoing term of Council prior to the new term of Council. This process allows staff to begin the necessary notification procedures prior to election season. Should a member need to resign prior to the end of their term, Council will select a suitable replacement for the time remaining in the term. Resignation and dismissal is addressed in the updated by-law to provide instruction on how to proceed in the event of a resignation or dismissal.

There are benefits to implementing a hybrid structure for the Committee of Adjustment, including contribution of knowledge of local context to round out the decision-making process. The new structure also provides an avenue for residents to apply their skillsets and be engaged in community decisions.

The draft by-law as attached as Appendix A takes into consideration the Committee of Adjustment Terms of Reference of surrounding local municipalities, including the Municipality of Grey Highlands, Municipality of Meaford, the Town of Blue Mountains and the Municipality of Kincardine.

### **Committee of Adjustment Recruitment Process**

A call for nominations will be issued by the Planning Department in Mid-July of this year, which will remain open for a five-week duration. Methods of advertisement will include posting on the Township’s website, social media, and print advertisements in local newspapers. Staff also have prepared notices to be included in the July newsletter about the committee structure change.

Applications have been created and will be made available online beginning July 14, 2022, pending passing of the draft by-law. Nominations will be reviewed by the Planning Department along with the Secretary-Treasurer of the Committee of Adjustment following the closing date. Applications will be compiled for presentation to Council for their consideration in closed session on August 31, 2022.

Council will then be required to pass a by-law to appoint citizen members to the Committee in September. The first Committee of Adjustment meeting with the new citizen and Council members is scheduled for December 13, 2022.

## Financial Impact

There is no financial impact anticipated to implement the new Committee Adjustment structure.

Committee of Adjustment attendance is remunerated in accordance with [By-law 2021-088 - Council Remuneration Policy](#). Appointed Council and citizen members would receive the same compensation as presently received by Council, including the per diem meeting rate and mileage as outlined in the policy.

As reference, surrounding municipalities such as Grey Highlands, the Town of Blue Mountains and the Municipality of Meaford remunerate citizen members of the Committee of Adjustment.

Training costs will also remain the same, as budgeted on an annual basis. Committee of Adjustment members receive training through the Ontario Association of Committees of Adjustment and Consent Authorities, (“OACA”) at the expense of the Township. The cost of which is \$67 per committee member.

## Strategic Priorities

The strategic priorities of the draft By-law align with the transparency goals defined in the Township’s [2020 -2024 Strategic Plan](#). Public participation increases the level of transparency regarding how planning decisions are made.

## Conclusion

The draft by-law satisfies Council direction to amend By-law 2011-019 to reflect a new hybrid model of Committee of Adjustment consisting of both Council and citizen members.

Upon adoption of the draft by-law by Council, the Township can issue a call for citizen member applications for selection by Council.

Respectfully Submitted:

Ben Suchomel, Student Planner and Carly Craig, Deputy Clerk  
With input from Jenn Burnett, Senior Planner and Brittany Drury, Director of Corporate Services/Clerk

## Report Approval Details

Document Title:	PL.2022.35 - Revised Committee of Adjustment Structure.docx
Attachments:	Draft Committee of Adjustment Procedure By-law
Final Approval Date:	Jun 29, 2022

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

Brittany Drury, Director of Corporate Services/Clerk

Samantha Buchanan, Treasurer

Cynthia Fletcher, Chief Administrative Officer