



MANAGEMENT REPORT

Date: September 9, 2024
To: Mayor and Council
From: Tatiana Dafoe, City Clerk
Report Number: COU24-106
Attachments: None

Title: Mid-term Appointment to the Committee of Adjustment

Objective: To consider applications for a mid-term vacancy on the Committee of Adjustment.

Background: The Committee of Adjustment is a quasi-judicial tribunal appointed by City Council and is independent and autonomous from City Council. It derives its jurisdiction from the Planning Act of Ontario.

The mandate of the Committee of Adjustment is to:

- hear and make decisions on Applications for "Minor Variances" - where a requirement of a Zoning By-law cannot be met (under Section 45 of the Planning Act). This includes applications which deal with the enlargement or extension of a building or structure that is legally non-conforming or for a change in conforming use; and
- hear and make decisions on Applications for Consent to "sever" a property or for any agreement, mortgage or lease that extends for 21 years or more (under Section 53 of the Planning Act).

The Committee of Adjustment is comprised of five (5) citizen representatives appointed for a four-year term to November 14, 2026. In February 2024, Council accepted the resignation of Peter Moreton leaving a vacancy on the Committee. The purpose of this report is to consider filling that vacancy.

Analysis: City Council, when making appointments and reappointments to City advisory and ad-hoc committees, boards, outside boards and agencies, local boards and joint boards, may take into consideration at their sole discretion, the following factors, including but not limited to:

- Experience and/or skill set of an applicant or member that may help to guide the work of the committee or board;
- Awareness of the community and local issues on the agenda by an applicant or member;
- Degree of project knowledge a member has acquired while on the committee or board, where retention of such project knowledge would be of assistance in the completion of the project;
- Number of applications received for the vacant position(s) on a committee or board;
- Years of service on the committee or board [for citizens applying for reappointment to the same committee or board];
- Attendance at committee or board meetings [for citizens applying for reappointment to the same committee or board].

Staff contacted individuals on the Appointments Name Bank to see if they were still interested in serving on this committee. Staff received responses from Roger Black, David Hartney and James Montgomery that they were still interested.

For the applications received, all were complete and meet the requirements. Policy C.3.1, Council Appointed Advisory Committees, states that, "No one may serve on an advisory committee for more than 3 consecutive two-year terms, plus if applicable, one preceding partial term in those cases where committee members are initially appointed mid-term to fill a vacancy." Should Council wish to appoint Roger Black to the Committee of Adjustment, an exemption to the term limit in Policy C.3.1 should be granted as he was first appointed to the Committee in 2003.

All citizens appointed to the City's advisory committees and local boards (as applicable) will be required to complete training to be coordinated through the City. Training will focus on accessibility, governance, and the Code of Conduct.

Financial Implications:

Financial impact to current year operating budget:

The costs for recruitment of citizen representatives to advisory committees and local boards is included in the annual budget.

Financial impact on future year operating budget:

The costs for recruitment of citizen representatives to advisory committees and local boards is included in the annual budget.

Alignment with Strategic Priorities:

Not applicable: This report does not align with one of the Strategic Priorities as the purpose of the report is to consider filling a mid-term vacancy on the Committee of Adjustment.

Alignment with One Planet Principles:

Equity and Local Economy

Creating safe, equitable places to live and work which support local prosperity and international fair trade.

Staff Recommendation: THAT direction be given on the appointment of one (1) citizen representative to the Committee of Adjustment for the remainder of a four-year term to November 14, 2026, or until successors are appointed by Council.

Prepared by: Tatiana Dafoe, City Clerk
Recommended by: Karmen Krueger, CPA, CA, Director of Corporate Services
Joan Thomson, Chief Administrative Officer