

Report to Committee of the Whole

Date: 6/9/2025
From: Julia McCaugherty-Jansman, Clerk
Re: Committee of Adjustment Draft By-law and Terms of Reference

RECOMMENDATION

THAT the Committee of the Whole receive for information the report regarding the draft by-law and Terms of Reference for the Committee of Adjustment;

AND FURTHER THAT Committee direct staff to bring the final draft by-law and Terms of Reference to the June 23rd Regular Council Meeting for approval.

BACKGROUND

At the March 24th Regular Council Meeting, the following motion was passed:

Moved by Deputy Mayor Barr

Seconded by Councillor Maitland

THAT the Council of the Corporation of the Village of Merrickville-Wolford receive for information the report regarding the final revised structure of Committees of Council;

AND THAT Council approves the recommendations as included in the report for the structure of Committees and approves and enacts all attached By-laws as presented. Carried.

The structure of Committees as outlined in the report and approved by Council included the transition of all Planning matters to Council jurisdiction to ensure consistency with Planning decisions with continuous changes to the *Planning Act*. The process remains open to the public with all applications coming to Council, acting as the Committee of Adjustment, for final approvals.

ANALYSIS

Within the *Planning Act*, it states the following under Section 44:

44 (1) If a municipality has passed a by-law under section 34 or a predecessor of such section, the council of the municipality may by by-law constitute and appoint a committee of adjustment for the municipality composed of such persons, not fewer than three, as the council considers advisable. R.S.O. 1990, c. P.13, s. 44 (1).

Copy of by-law to Minister

(2) Where a by-law is passed under subsection (1), a certified copy of the by-law shall be sent to the Minister by registered mail by the clerk of the municipality within thirty days of the passing thereof. R.S.O. 1990, c. P.13, s. 44 (2).

Term of office

(3) The members of the committee who are not members of a municipal council shall hold office for the term of the council that appointed them and the members of the committee who are members of a municipal council shall be appointed annually. R.S.O. 1990, c. P.13, s. 44 (3).

BUDGET/LEGAL IMPLICATIONS

None.

CONCLUSION

Staff have drafted a by-law and Terms of Reference for the Committee of Adjustment, being that members of Council are the composition of the Committee. The Village's Senior Planning Consultant has reviewed and provided the necessary edits and changes to the Terms of Reference.

One provision for Committee/Council to consider is compensation of mileage for site visits and whether or not this is desired. This would have to be included as a provision within the Terms of Reference and would need to be budgeted for going forward in future operating budgets.

Staff are requesting feedback on the draft by-law and Terms of Reference and are recommending that it be brought back as final drafts to the June 23rd Regular Council Meeting for approval.

ATTACHMENTS

Schedule A – Draft By-law XX-2025 – Establish Committee of Adjustment

Schedule B – Draft Terms of Reference for Committee of Adjustment

Submitted by:

Julia McCaugherty-Jansman, Clerk

Approved by:

Darlene Plumley, CAO