

---

**SCHEDULE "A" TO BY-LAW 2020-69**

**PERSONS APPOINTED TO THE COMMITTEE OF ADJUSTMENT  
AND REMUNERATION PAID TO MEMBERS OF THE COMMITTEE  
OF ADJUSTMENT, TOWNSHIP OF ALGONQUIN HIGHLANDS**

---

1. The following persons are appointed as Members of the Committee of Adjustment:
  - Three (3) person who are not Members of Council, to be appointed by resolution for the term of Council; and
  - A minimum of two (2) Members of Council, to be appointed annually by resolution.
2. Members of the Committee of Adjustment shall be paid a remuneration of \$100.00 per regular meeting plus an additional \$10 per application heard.
3. Mileage will be paid for inspections of properties and will be paid in accordance with the Township Mileage Allowance Policy.

---

## **SCHEDULE "B" TO BY-LAW 2020-**

### **PROCEDURES TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF MEETINGS COMMITTEE OF ADJUSTMENT, TOWNSHIP OF ALGONQUIN HIGHLANDS**

---

The Committee of Adjustment will comply with the rules, provisions and procedures set out in the Planning Act R.S.O., 1990, c.P.13, as amended and the Statutory Powers Procedure Act R.S.O., 1990, c.S.22, as amended.

To ensure the consistent, efficient and proper operation of the Committee of Adjustment, the following procedures will govern the calling, place and proceedings of the meetings:

#### **1) DEFINITIONS**

- a) "Committee" means a group of individuals appointed by the Council of the Corporation of the Township of Algonquin Highlands pursuant to the provisions of Section 44(1) of the Planning Act, R.S.O., 1990, c.P.13, as amended.
- b) "Committee Chair" means the chair of the Committee of Adjustment, elected by the members of the Committee of Adjustment at a general meeting of the Committee.
- c) "Acting Chair" means a member of the Committee of Adjustment appointed by the Committee for a specific period of time, as required, to undertake the responsibilities of the Committee Chair in his/her absence.
- d) "Chair" means a member of the Committee responsible for the conduct of a meeting to consider an application and shall be the Committee Chair or the Acting Chair.
- e) "Member" means an individual appointed by the Council of the Corporation of the Township of Algonquin Highlands pursuant to the provisions of Section 44(1) of the Planning Act, R.S.O., 1990, c.P.13, as amended.
- f) "Secretary-treasurer" means the Secretary-treasurer of the Committee of Adjustment, appointed by members of the Committee of Adjustment at a general meeting of the Committee, pursuant to the provisions of the Planning Act, R.S.O., 1990, c.P.13, as amended.

#### **2) GENERAL MEETING**

- a) At the beginning of each term of the Committee, the Committee of Adjustment shall hold a general meeting to select the following officers:
  - i) The Committee Chair shall be elected by a simple majority vote. In the event of a tie vote, the motion is defeated.
  - ii) The Secretary-treasurer of the Committee of Adjustment shall be appointed by the Committee and may be a staff member of the Township of Algonquin Highlands.
- b) The Secretary-treasurer shall provide each Member with a copy of this policy and any amendments thereto.

#### **3) CALLING OF MEETINGS**

- a) All meetings of the Committee of Adjustment shall be called by the Secretary-treasurer or the Committee Chair.

#### **4) NOTICE**

- a) The Notice of a meeting with respect to an application and the subsequent Decision of the Committee with respect to an application shall be given in accordance with the provisions of the Planning Act, R.S.O., 1990, c.P.13, as amended.

- 
- b) When Notice of a meeting with respect to an application is given, the Secretary-treasurer shall provide each Member with a copy of the said Notice, and an information package on each application.

## 5) CANCELLATION OF MEETINGS

- a) In consultation with the Committee Chair, the Secretary-treasurer may cancel or reschedule a meeting.
- b) When cancelling or rescheduling a meeting, the Secretary-treasurer shall make all reasonable effort to promptly notify the applicant and all persons, who received written Notice of the meeting, with notice that the meeting is being cancelled or rescheduled. Where time permits, notice of the cancellation or rescheduling of the meeting should be given in writing.

## 6) LOCATION OF MEETINGS

- a) With the exception of site visits for specific applications, all meetings of the Committee of Adjustment will generally be held in the Council Chambers of the Township of Algonquin Highlands.

## 7) QUORUM

- a) Where the Committee is composed of three Members, two Members shall constitute a quorum. Where the Committee is composed of more than three Members, three Members constitutes a quorum.
- b) The Chair shall be counted in determining quorum and shall be entitled to all the rights of a Member, including voting.
- c) If no quorum is present within fifteen (15) minutes after the time appointed for the meeting, the Chair or the Secretary-treasurer may discharge the Members present and may cancel or reschedule the meeting.

## 8) AGENDAS AND SUPPORTING MATERIAL

- a) An agenda, which is to include an application information package for each application to be considered by the Committee, shall be prepared by the Secretary-treasurer.
- b) Insofar as is practical, the agenda and supporting material shall be prepared and made available to Members 10 days prior to the meeting.
- c) A copy of the application and information package shall be made available at the meeting for review and/or use by the applicant, the applicant's agent or representative, or anyone having an interest in the application.

## 9) MEETING PROCEDURES

- a) The meeting of the Committee shall be called to order by the Chair.
- b) At the beginning of the meeting, the Chair shall introduce the members and explain the procedure that will be followed.
- c) The Chair shall call each application in an order determined by the agenda or in an order determined by the Chair.
- d) The Chair shall ask the Secretary-treasurer to provide an overview of the application and to read all comments received from agencies, residents and others who responded to the circulation of the Notice of a meeting with respect to the application. The Secretary-treasurer, at the direction of the Chair, shall read aloud all letters received from persons expressing interest in the application. At the discretion of the Chair, the Secretary-treasurer may summarize the nature of the interest/concerns being expressed.
- e) The Chair shall ask each applicant, authorized agent or representative to introduce themselves and present the application.
- f) The Members may ask questions of the applicant, authorized agent or representative at this time. Questions may be asked during the presentation,

---

however, questions are typically asked by Members at the conclusion of the presentation.

- g) The Chair shall then ask the Secretary-treasurer to read the proposed conditions. At the conclusion of the reading, the Chair shall ask the applicant, authorized agent or representative whether or not he/she consents to the imposition of these conditions should the application be favourably considered.
- h) The Chair shall then invite anyone else having an interest or concern with respect to the application to come forward and advise the Committee of their position. Members may ask questions of those parties expressing an interest and/or concerns.
- i) The Chair shall give the applicant, authorized agent or representative the opportunity to respond to any comments received from the commenting agencies or interested parties.
- j) The Members may ask additional questions at this time.
- k) After having considered the applications on the agenda, the Chair shall ask the Members for a motion with respect to the disposition of the application. The Chair, upon receipt of a motion from a Member shall ask for a seconder of the motion. The Chair shall then call for a vote by the Committee on the motion.
- l) For each application, the Committee will either grant the requested variance or deny the requested variance or defer a Decision on the requested variance. The Committee will clearly record the reason(s) for their Decision.
- m) Members concurring with the Decision of the Committee shall sign the Decision at the meeting. Names of the Members not concurring with the Decision may be noted in the motion to record the Decision of the Committee, if a Member requests a recorded vote.
- n) Where the Committee defers a Decision on an application the Chair shall clearly explain to the applicant, authorized agent or representative, and interested parties what additional information is required in order for the Committee to render a Decision. The Chair will advise the applicant, authorized agent or representative, and interested parties that the application will be returned to the next regularly scheduled meeting of the Committee for further consideration and no further Notice of the impending meeting is required for this application. The Secretary-treasurer may confirm this direction to the applicant, authorized agent or representative, and interested parties in writing, following the meeting.
- o) All motions of the Committee shall be carried by a simple majority vote. In the event of a tie vote, the motion is defeated.
- p) At the end of the meeting, the Chair shall call for a motion to adjourn the meeting.

#### 10) SITE VISITS

- a) To assist with their decision, Members may individually, conduct a site visit at any time prior to, or after, the meeting where Notice has been given pursuant to Section 45(5) of the Planning Act, R.S.O., 1990, c.P.13, as amended. Site visits prior to the said meeting shall not be attended by three (3) or more Members at any one time.
- b) Where, at a meeting where Notice has been given pursuant to Section 45(5) of the Planning Act, R.S.O., 1990, c.P.13, as amended, the Committee defers their decision for the purpose of a site visit, the Committee will arrange a mutually agreeable date and time with the applicant, authorized agent or representative, and interested parties and no further Notice of the said site meeting is required. The Secretary-treasurer may confirm this direction to the applicant, authorized agent or representative, and interested parties in writing, following the meeting.
- c) At a site visit that has been arranged pursuant to Paragraph 10(b), three (3) or more Members of the Committee may be in attendance. This will constitute a quorum and accordingly, a meeting of the Committee. In such event, the Secretary-treasurer shall attend and will record the minutes of the site meeting. Members may view the site and ask questions. The Committee will not make a Decision on the application. The application will be returned to the next regularly scheduled meeting of the Committee for discussion for a decision.

---

## **11) CONDUCT OF MEMBERS OF THE COMMITTEE AND GUESTS**

- a) No Member or guest shall:
  - i) use offensive words or un-parliamentary language in or against Council, the Committee or any other committee of Council or against any Member, staff or guest;
  - ii) disturb another Member, or Committee, staff or guest, by any disorderly conduct disconcerting to the speaker or the assembly;
  - iii) speak on any subject other than the subject in the debate;
  - iv) resist the rules of the Committee or disobey the decisions of the Chair on questions of order or practice or upon the interpretation of the rules of the Committee;
  - v) leave a meeting without first obtaining permission from the Chair;
  - vi) be permitted to take his/her seat after being ordered to vacate, having committed a breach of any rule of the Committee, until the next meeting and without making an apology to the Committee; and
  - vii) interrupt the Member who has the floor except to raise a point of order.
- b) No person shall be allowed to address the Committee or speak in debate without permission from the Chair.
- c) The Chair shall enforce on all occasions the observance of order and decorum among the Members and guests. Where a Member(s) or guest(s) persists in breach of the rules or order of the Committee, the Chair shall order the Member(s) or guest(s) to vacate the meeting room.
- d) In the case of grave disorder arising in the meeting room, the Chair shall adjourn the meeting without question.
- e) Matters of conduct and procedure not specifically addressed herein shall generally be considered in accordance with the Statutory Powers Procedure Act R.S.O., 1990, c.S.22, as amended and Roberts Rules of Order.

## **12) ELECTRONIC PARTICIPATION DURING A DECLARED EMERGENCY**

- a) When electronic hearing is being held, pursuant the Municipality's by-law to govern the calling, place and proceedings of meeting, as amended, any person who has an interest in an application can submit comments in writing (by mail or email) to the Secretary-Treasurer and/or may participate electronically in the hearing by phone to ensure adequate 2-way and all way communication is afforded for all persons participating in the hearing; and:
  - i. that submission of any written correspondence must be received by the Secretary-Treasurer not less than 2 days before the date of hearing; and
  - ii. that only those individuals who wish to make a presentation or speak at the meeting will need to register with the Secretary-Treasurer; and
  - iii. that upon receipt of a request for electronic participation, the Secretary-Treasurer will provide the necessary information or means to access the hearing electronically.
- b) All Members of the Committee of Adjustment who participate electronically shall be counted in determining whether or not a quorum is present.

## **13) PROCEDURES FOR ELECTRONIC MEETINGS DURING AN EMERGENCY**

- a) The Chair and Secretary-Treasurer, or designates shall be present in the Council Chambers to moderate the electronic meeting of the Committee.
- b) The meeting location will be described as Electronic.
- c) Depending on circumstances, meetings may be conducted via teleconference, video conferencing or other means as deemed appropriate in the circumstances.

---

For clarification, electronic participation includes telephone, video, audio or audio-visual conferencing or any other interactive method as deemed appropriate.

- d) Public participation in an electronic Public Meeting will generally proceed as follows:
- i. The Chair of the meeting will open the floor to public comments on each specific application by file number.
  - ii. Where applicants, agents and members of the public are not able to utilize Zoom, existing participation measures outlined in the Planning Act will continue to be available, these include telephone communication with Planning staff and written correspondence, via e-mail, fax or letter, to express land use planning information related to an application before the Committee of Adjustment. Comments will be read aloud at the public meeting
  - iii. Any registered participant participating by phone will be asked once if they wish to speak, in the following sequence for each application - applicants, agents and members of the public in order of registration. The Chair will ask the meeting host to unmute the participant to speak.
  - iv. Each registered person will then have up to 5 minutes to provide comments or ask questions. Once the registered participant has finished speaking or met the 5 minute speaking limit, the meeting host will mute their microphone.
- e) The Chair or Secretary-Treasurer, or designates, will read motions and call for a mover and seconder.
- f) The Chair will call on members that are participating by telephone, to state their vote to ensure accurate recording for the minutes.
- g) Meetings will be recorded through the conferencing application and live streamed to YouTube. The recording will be linked to our website following the meeting.
- h) There will be no written resolutions. The Secretary-Treasurer will record the resolution along with the mover and seconder and status of the motion as confirmed by the Chair.
- i) For Closed Session, the video stream will be suspended while the meeting proceeds and will be reactivated once the Committee resumes open session of the Committee.
- j) In the event of a technical failure, the Committee may take a ten (10) minute recess to resolve the issue. If a member can no longer participate electronically and quorum still exists, the meeting will proceed.
- k) In the event of a technical failure where quorum is affected, the Committee may take a thirty (30) minute recess to resolve the issue. If it cannot be resolved, the meeting will be adjourned, but all decisions made up until that point in the meeting will be considered approved.