



REPORT N° CLERK2019-09

Date	15/04/2019
Submitted by	Monique Ouellet, Clerk
Subject	Committee of Adjustment
File N°	C11-CLE

1) **NATURE/GOAL :**

The purpose of this report is to seek Council's confirmation of its intents in regards to the compensation of the members appointed to the Committee of Adjustment.

2) **DIRECTIVE/PREVIOUS POLICY :**

Pursuant to *Section 44 of the Planning Act*, Council adopted By-law 2011-33, on February 14, 2011 which includes the following statement under section 4:

- The members, except any member of Council, can be reimbursed for their traveling expenses during duties as a member of the committee upon presentation of authorized statements of expenses. Also, the committee members are remunerated for their duties as follows:
Chairperson: \$100.00/meeting
Members: \$75.00/meeting

Further to a recommendation brought forward by the Administration Committee and after consideration of Report No. CORP2015-14, Council adopted Resolution No. 2015-115 on April 20, 2015, which reads:

WHEREAS the Administration Committee recommends to Municipal Council to abolish all remunerations for volunteer members of permanent and advisory committees for the City of Clarence-Rockland; and

WHEREAS the Administration Committee also recommends to Municipal Council that an annual recognition event be organized for all volunteers; now therefore

BE IT RESOLVED that Municipal Council hereby accept that no remuneration be paid to volunteer members of permanent and advisory committees of the City of Clarence-Rockland, except the remunerations prescribed by law; and

BE IT ALSO RESOLVED that an annual recognition event be organized for all volunteers, as recommended by the Administration Committee.

Council adopted Council adopted Policy No. C2015-001 on August 4th, 2015 which includes the following statement under section 5.10:

- Members of a Board or Committee do not receive any remuneration for their participation in the committee or their travelling, unless otherwise indicated in the law.

3) **DEPARTMENT'S RECOMMENDATION :**

THAT the Committee of the Whole recommends that Council confirms that By-law No. 2011-33 as adopted shall remain in effect; and **THAT** the members of the Committee of Adjustment be remunerated as prescribed.

OPTION 2: **THAT** the Committee of the Whole recommends that Council directs the administration to prepare a by-law to amend By-law No. 2011-33 in order to change the amount of remuneration for the members of the Committee of Adjustment.

QUE le Comité plénier recommande que le Conseil confirme que le Règlement no. 2011-33 tel qu'adopté doit demeurer en vigueur ; et **QUE** les membres du Comité de dérogation soient rémunérés tel que prescrit.

OPTION 2: **QUE** le Comité plénier recommande que le Conseil mandate l'administration à préparer un règlement pour amender le Règlement no. 2011-33 afin de changer les montants des rémunérations aux membres du Comité de dérogation.

4) **BACKGROUND :**

Further to a recommendation made by the Administration Committee in 2014, to abolish all remunerations to committee members, staff prepared a report, being Report No. CORP2015-14 which clearly identified that the Committee of Adjustment was one of the committees for which members shall be remunerated as prescribed. A copy of this report is attached for your perusal.

In September 2016, the members of the Committee of Adjustment submitted a letter to Council asking that their remuneration be re-established. This letter was received and filed and there was no further action. A copy of this letter is attached for your perusal.

5) **DISCUSSION:**

For some unknown reason, the research of financial records show that the last cheque issued to the members the Committee of Adjustment for remunerations is dated April 13, 2015, which is not in accordance to the resolution 2015-115 and/or By-law 2011-33.

Furthermore, it should be noted that to our knowledge, the mandate to hold an annual event to recognize volunteers as per resolution 2015-115, was never followed through.

At this point, it is important that members of Council understand that Section 44 (9) of the *Planning Act* provides that the members of the Adjustment Committee shall be paid such compensation as the council may provide.

Therefore, Council needs to make a decision to, either:

- 1- Confirm that By-law No. 2011-33, shall remain in full force and effect, as adopted; OR
- 2- Amend By-law No. 2011-33 to change the amount of remuneration for the members of the Committee of Adjustment.

6) **CONSULTATION:**

n/a

7) **RECOMMENDATIONS OR COMMENTS FROM COMMITTEE/ OTHER DEPARTMENTS :**

n/a

8) **FINANCIAL IMPACT (expenses/material/etc.):**

As the Committee of Adjustment meets on a monthly basis and only three (3) members would qualify for remuneration as stipulated under By-law 2011-33. The financial impact would be limited to \$3000.00 plus any allowable travel expenses as per By-law 2011-33.

When the 2019 Budget was adopted, the committee account (1-4-1123-3139) was reduced to \$0. Therefore, should Council confirms that By-law 2011-33 is to remain in effect as adopted, a funding source will need to be identified accordingly.

9) **LEGAL IMPLICATIONS :**

Section 44 (9) of the *Planning Act* requires that the members of the Adjustment Committee shall be paid such compensation as the council may provide.

10) **RISK MANAGEMENT :**

n/a

11) **STRATEGIC IMPLICATIONS :**

n/a

12) **SUPPORTING DOCUMENTS:**

- a) By-law No. 2011-33
- b) Letter dated September 1, 2016 submitted by the members of the Committee of Adjustment at that time
- c) Administration Committee meeting minutes of December 18, 2014
- d) Staff Report CORP2015-14 & Resolution no. 2015-115
- e) Staff Report CORP2015-18 & Resolution no. 2015-201
- f) Policy No. C2015-001