



## Motion Memorandum

**SUBJECT:** Processing of Committee of Adjustment applications

**TO:** **Mayor and Members of Council**

**FROM:** Mayor Marianne Meed Ward and Councillor Kelvin Galbraith, Deputy Mayor for Business and Red Tape Reduction

**Date to Committee:** February 28, 2023

**Date to Council:** March 2, 2023

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### **Motion for Council to Consider:**

Direct the Executive Director of Community Planning, Regulation and Mobility to implement measures to clear the Committee of Adjustment (CofA) backlog within the next 4 months, including those efforts which have already been implemented to date; and

Direct the Executive Director of Community Planning, Regulation and Mobility to submit a progress report to Council, by way of email, on a monthly basis beginning March 15, 2023, until the CofA backlog has been cleared; and

Direct the Executive Director of Community Planning, Regulation and Mobility to target that applicants be placed on a hearing agenda within 3 months from the date of a complete application, and to report back to Council by end of Q2 with status and challenges of CofA application in process; and

Direct the Executive Director of Community Planning, Regulation and Mobility to implement, by Q2, a CofA Terms Of Reference that aligns the procedures of CofA meetings with those of Council. Include results of this implementation in the Q2 report back to Council; and

Direct the City Manager and Chief Financial Officer, in conjunction with the establishment of the governance structure of the new Innovation and Digital Transformation Reserve Fund, to identify as a 2023 workplan priority, the allocation of dedicated project funds towards advancing process change and technology improvement related to the CofA.

**Reason:**

Applicants are currently experiencing a temporary backlog of severe lags in elapsed time of four to six months from the City's receipt of a complete application to the date that they are assigned to a hearing agenda. Currently, there are 48 CofA applications that are awaiting a staff report, some of these have already received a date for a hearing. The causes of this backlog are broad, including among other things:

- Significant volume of variance applications:
  - 5 year avg. 120 applications go to hearing/year;
  - 103 applications in 2021, 133 applications in 2022;
  - total of 591 applications from 2018-2022;
- CofA meeting procedures are currently somewhat less structured than those of Council, which sometimes permits lengthy discussion of some agenda items, thereby impacting the number of items that are discussed per agenda:
  - 5 year avg. of 6 items/agenda;
- Staffing challenges associated with retention and attraction through 2022 of staff across the development services area who are involved in the processing of CofA applications; and
- Staff resources having been focused on other corporate and legislated priorities such as the Streamline Development Application Fund (SDAF) for the Pre-Building Application Process (PBP) and process changes necessitated by Bill 109, which impacted staff resources dedicated to the core duties of the development services area.

Staff have commenced a number of process changes to address the backlog within the next quarter, with the initial focus of expediting staff reports of those 48 files, and where possible to move forward currently scheduled dates to an earlier hearing. The following is an example of some of the process changes that staff are exploring:

- Leveraging external services that we have available for other application types to free up staff capacity to focus on CofA files;
- With staff capacity to process applications, we are targeting a doubling of the number of applications on a CofA agenda; and
- Other novel approaches inspired by Council committee processes, including but not limited to the inclusion of a consent agenda for applications that which are simple in nature, have no staff concern and have not received public comments of concern.

We also recognize that the speed of processing an application is directly reliant on the quality of information received, and that poor-quality applications experience delays through multiple revisions and resubmissions and have a greater risk of being refused by the Committee.

Staff will continue to seek innovative solutions to meet or exceed the strategic objectives outlined in this Motion Memo.

**Outcome Sought:**

With SDAF nearing completion, to refocus staff's continuous improvement initiatives towards the CofA process; and,

To give applicants efficient and predictable timelines to receive a decision by the Committee of Adjustment.

**Vision to Focus Alignment:**

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by: Not Required  
Share with Senior Staff

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

**Comments:**

City Clerk:       Approved as per form.

City Manager:    Approved.