



Township of Georgian Bay Committee Terms of Reference

Policy Number: 2024-012-CL	Department: Clerks
Effective Date: July 8, 2024	Approval: C-2024-235
Attachments:	
Related Documents / Legislation: Municipal Act, Planning Act, Ontario Building Code, Municipal Freedom of Information and Protection of Privacy Act	

A. Policy Statement

This policy has been established to ensure consistency in the operations of Township of Georgian Bay Committees.

B. Purpose

The purpose of this document is to consolidate all committee structures, terms of reference, and operational procedures into one document for ease of reference and use.

C. Definitions

Advisory Committee means a committee formed for the purpose of giving opinion or gathering information and compiling that information into a suggested course of action or courses of action.

Appointment means a position or directive given to a person(s) to undertake specific actions, or act as representative on behalf of Council.

Chair means the person presiding at a meeting and includes an Acting or Deputy Chair.

Closed Session means a meeting, or portion of a meeting, that is not open to the public, under authority of the Municipal Act, Section 239.

Committee Member means an individual appointed to serve on a committee in the Township.

Committee Terms of Reference

Open Meeting means a meeting that has been duly advertised and where all members of the public may attend.

Quorum means more than fifty percent (50%) of the eligible voting members.

Working Group means the process of bringing together industry members and relevant stakeholders for a specific task or project.

D. General Terms and Procedures

General

Procedure By-law

This Policy shall be used in tandem with the Township of Georgian Bay's Procedure By-law as may be amended from time to time.

If there is a discrepancy between the Procedure By-law and this Policy, the Procedure By-law shall prevail.

Advisory Committees

Based on the current governance structure, advisory committees provide recommendations and advice to Council, Planning Council or the Committee of the Whole. Advisory members may contribute to the development of policies, programs, and initiatives that enhance the municipality's quality of life.

These appointments allow local citizens, from various backgrounds and life experiences, to participate in local government and provide a valuable resource to their community. The goals, objectives and purpose of the advisory committee will be contained in one or more of the following:

- The by-law that established the committee,
- A Council report recommending the formation of the committee, or
- A resolution of Council and the scope of their mandate.

The call for volunteers to sit on advisory committees shall be advertised on the Township's webpage and social media accounts. In the event a vacancy occurs mid-term, the Clerk will publicly re-advertise, except in the year of a municipal election.

Committee Terms of Reference

Meetings Open to Public

All Advisory Committee meetings are open to the public and do not qualify to be closed to the public under Section 239 of the Municipal Act. Since all meetings are open, members must take care not to communicate anything that would be considered private and confidential under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

Duties of Advisory Committees

The general duties of all advisory committees of the Council shall be as follows:

- To report and make recommendations to Council, Planning Council, or the Committee of the Whole on matters within the scope of responsibilities of the committee;
- An advisory committee may, in consideration of a matter before it, request a reasonable amount of information from staff or authorized consultants, with Council approval; and
- Advisory committees shall not reconsider, recommend, or advise on a matter that has been decided by Council, unless specifically directed by Council to do so.
- Recommendations made by the advisory committee shall be made by resolution with a passing vote.

The nature of advisory committee recommendations to Council is purely consultative. The committee has no authority to bind decisions upon any person or group, nor direct staff. Council may approve, amend, refer, or propose other resolutions, as Council deems appropriate, and weigh various competing interests. Advisory Committees must adhere, in the transaction of all business, to the rules prescribed by the by-laws of the Council. Council, may refer back to any advisory committee, any report in whole or in part, or any question or matter for consideration. All advisory committees will be given a mandate which must be adhered to.

Meetings

An Agenda shall be prepared for all committees. The business of the committees shall be taken up in the order per the Procedure By-law or as directed by the Clerk or designate.

Committee Terms of Reference

Meetings should follow the rules and guidelines as set out in the Procedural By-law as closely as possible. All meetings will be held in a location within the Township and will be open to members of the public for observation. If members of the public wish to address the Committee, they must schedule a delegation with the Clerk or designate of the committee.

Committees will meet per the approved meeting calendar, which is a schedule approved by Council annually. Meetings may be cancelled with consultation of the Mayor, Clerk, and Chair. In the event the Chair would like the committee to meet, they may make a request to the Mayor and Clerk for consideration of an additional meeting.

Role of the Chair

The Chair is responsible for ensuring smooth and effective operation of the Committee. The responsibilities of the Chair include, but are not limited to:

- Calling the meeting to order;
- Creating an informal atmosphere to encourage the exchange of ideas;
- Chairing the meetings;
- Representing the committee on other committees when necessary; and,
- Conducting meetings in accordance with the Township's Procedural By-law.

Term of Appointment

The term of office shall be concurrent with the term of Council. At the beginning of a new term of Council, Council shall conduct a review of all committees to determine whether or not it is necessary or if the Terms of Reference need to be modified.

If a new member(s) is appointed mid-term their appointment shall be concurrent with the term of Council and end upon completion of the term.

Electronic Meetings

The need for electronic meetings will be conducted in accordance with the Township's Procedure By-law and the Municipal Act. All committees may

Committee Terms of Reference

from time-to-time meet via an electronic meeting which will be conducted and streamed by means as stipulated by the Clerk or designate.

Working Groups

A working group will be utilized when the Township (either staff or Council) require the expertise and/or input from stakeholders, community members, field experts, or other government agencies, with the purpose of working together to achieve a specified goal.

Working groups may be formed at the direction of Council or staff. Data and information will be collected from the Members and used to assist with municipal projects. Information used for decision making purposes may be presented via a report to Council as written by the working group or staff will include the information and feedback as part of a staff report to Council or Committee of the Whole. Formal agendas and minutes will not be produced.

Working groups are to be informal and encourage open dialogue amongst those in attendance, which may include Members of Council, staff, industry members, and/or relevant stakeholders; this is to ensure community feedback is received.

A quorum of Council is not permitted in attendance at any working group meeting. Additionally, there is no remuneration for Members of Council or working group members.

Committee of Adjustment

Mandate

The Committee of Adjustment is a quasi-judicial body, operating independently from Council, and must comply with the rules of procedure as prescribed in the Planning Act and several regulations thereunder.

Consent

Section 50 of the Planning Act requires consent approval for the creation of new lots; for boundary adjustment; for rights-of-way, easements and leases which extend for a period of 21 years or more; and for foreclosure of or exercise of a power of sale in a mortgage or charge for part of a parcel of land. The Committee's consent is also required for the validation of title under Section 57 of the Planning Act, 1990, as amended, C. P. 13. The Committee, in making its decision, must have regard to all matters that would be considered with respect to approval of a plan of subdivision under

Committee Terms of Reference

Section 51 of the Planning Act. The Committee has the same powers with respect to consent as the Minister has with respect to an approval of a plan of subdivision and can impose conditions viewed as appropriate.

Minor Variance

Under Section 45 of the Planning Act, a Committee of Adjustment is assigned responsibility for processing applications relating to the following:

- Minor variances to Zoning By-laws;
- The expansion or enlargement of legal non-complying and legal non-conforming uses; and
- Permitting specific uses where a by-law defines them in general terms.

Committees of Adjustments considering minor variance applications have no absolute tests to guide their assessment. Section 45 of the Planning Act states that the authorized variance from the zoning by-law must satisfy the following four (4) tests:

- Be minor;
- Be desirable for the appropriate development of use of the land, building or structure;
- Maintain the general intent and purpose of the Zoning By-law; and
- Maintain the general intent and purpose of the Official Plan.

The Committee, upon hearing an application, may approve, defeat or defer the application. They may also make the approval subject to such terms and conditions as the Committee considers appropriate.

Appeals

Decisions of the Committee of Adjustment may be appealed to the Ontario Land Tribunal (OLT) within 20 days of the giving of a Notice of Decision. Appeal forms and rules may be found on the OLT website.

Expectations of Committee Members

Be able to perceive issues on a municipal-wide basis, be objective, possess relevant education components or equivalent experience and have an open

Committee Terms of Reference

mind in order to fully consider the information provided by staff, applicants, and members of the public. They must also have transportation and be willing to make site visits prior to hearings, and attend one public meeting a month and general committee meetings as required.

Members must also become familiar with the Township of Georgian Bay's Official Plan and Zoning By-law, as well as certain Provincial Policies. General Committee meetings in the context of this committee means attending other public planning meetings, such as Zoning or Official Plan Review meetings. There shall be no contact with applicants, agents or members of the public prior to the consideration of an application.

Committee of Adjustment meetings are broadcast live and stored on the Township's YouTube channel.

Composition

The Committee of Adjustment is the composed of:

- Four (4) citizen members; and
- Two (2) Council members.

Remuneration

Citizen members are paid \$150 per meeting they attend; these payments are made bi-annually.

Administrative Support

The Secretary-Treasurer, Director of Planning, and Clerk or designate will be the administrative support for the Committee of Adjustment.

MacTier Arena Advisory Committee

Mandate

The MacTier Arena Advisory Committee (MAAC) has a mandate to explore options to see the MacTier Arena be sustainable from a cost recovery, environmental, and community hub. Municipal arenas often operate at a deficit in order to offer subsidized programming to its community members, however the MacTier Arena operates at a loss that may not be sustainable for the future. The MAAC is to generate ideas to attract new user groups or events to the MacTier Arena, offer fresh concepts for advertising or cost-recovery.

Committee Terms of Reference

The revitalization and sustainability of any municipal arena is at a cost of staff and community time, as well as funds for upgrades to the facility. This Committee is tasked with finding low cost but high impact changes.

The MAAC is an advisory committee who make recommendations to Council and/or Committee of the Whole and will meet bi-monthly.

Expectations of Committee Members

The MAAC will be comprised of volunteers as appointed by Council, who are active users and/or board members of a user group of the arena, and/or engaged community members within MacTier. Members will be able to represent a cross-section of the public who understand the needs of the community and the functions of a community arena with respect to the user groups and events it can host.

Members must be able to attend hybrid/electronic meetings and/or at the MacTier Arena.

Composition

The Sustainable Communities Advisory Group will consist of:

- Six (6) citizen members;
- Three (3) Council members.

Remuneration

This membership is on a volunteer basis; no financial remuneration is provided.

Administrative Support

The Director of Operations, Director of Sustainability, and Clerk or designate will be the administrative support for the MacTier Arena Advisory Committee.

Property Standards Appeal Committee

Mandate

The Building Code Act, S.O. 1992, provides for the establishment of a property standards committee composed of such persons, not fewer than

Committee Terms of Reference

three, as the Council considers advisable to hold office for such term and on such conditions as the by-law may establish. The Property Standards By-law as amended, prescribes property standards for the maintenance and occupancy of all property within the municipality, and includes provision for the establishment of a Property Standards Appeal Committee.

The Committee has the following powers under the Ontario Building Code Act:

- Confirm the Order or Orders served by the Municipality;
- Quash the Order; and
- Amend the Order or extend the deadline for compliance.

The Committee shall be aware that the Municipality may wish that a lawyer be present, in some cases, to defend the Municipality's interest.

The Property Standards Appeal Committee is not required to report to Council; however, should the Chair of the Property Standards Committee choose to provide a summary of activities to Council, they must do so in accordance with all applicable information and privacy legislation.

Meetings will be held within twenty-one (21) calendar days of an appeal being successfully filed with the municipality.

Expectations of Committee Members

The Committee shall be well versed with the general rules of procedure before administrative tribunals, admissibility of evidence, and the relevant provisions under the Ontario Building Code Act.

Composition

The Property Standards Appeal Committee is composed of:

- Four (4) citizen members.

Administrative Support

The Senior Municipal Law Enforcement Officer or designate(s) and Clerk or designate will be the administrative support for the Property Standards Appeal Committee.

Committee Terms of Reference

Remuneration

Citizen members are paid \$100 per case inclusive.

Sustainable Communities Advisory Group

Mandate

The Sustainable Communities Advisory Group (SCAG) will provide advice and recommendations to Council or Committee of the Whole regarding projects that are related to sustainability in all areas of the Township. This commitment is not limited to work in the three urban cores of Honey Harbour, MacTier, and Port Severn, and will also include inland lakes, community groups, and cottage associations.

The role of the Committee is to advise Council on matters of sustainability as it relates to the environment, economy, heritage, culture, and communities within the Township of Georgian Bay.

The Committee will act as a liaison between Council and the community with regards to aspects of understanding, education, and implementation of sustainable projects, literature, or policy within the Township, and will liaise with independently created sustainable organizations, including but not limited to:

- Seven Sound Environmental Association (SSEA),
- Integrated Community Energy and Climate Action Plan (ICECAP),
- District of Muskoka New Leaf Climate Action Plan, and
- Georgian Bay Biosphere (GBB).

The Committee will also work to raise awareness of the Township's Environmental Report Card, the Climate Action Plan, the Local Climate Action Plan, and work of the Georgian Bay Biosphere in relation to Integrated Community Energy and Climate Action Plans.

All policy development or commenting regarding planning on development services is not part of the scope of this Committee; if required, all relevant matters will be referred to the Planning Advisory Committee.

Having appointed a municipal sustainability committee, Council will wherever possible enable mechanisms to promote sustainability in various facets in the Township.

Committee Terms of Reference

The Committee has no final decision-making authority and will make recommendations, where required to Council or Committee of the Whole. There is no ability for the Committee to direct staff; reports or staff actions must first be endorsed by Council before any action by staff can be taken.

Expectations of Committee Members

The SCAG will consist of local stakeholders including but not limited to Township of Georgian Bay Residents, business, and resource interests, environmental, heritage, seniors, institutions, accessibility, economic, and cultural communities.

The SCAG members are invited by Council (in a format approved by the Clerk) to be part of a volunteer group who will provide advice to Council on the implementation of the sustainable projects and the creation of a yearly environmental report card that will highlight progress in various sustainable initiatives.

Composition

The Sustainable Communities Advisory Group will consist of:

- Four (4) citizen members;
- Two (2) non-voting citizen members; and
- Two (2) Council members.

Remuneration

This membership is on a volunteer basis; no financial remuneration is provided.

Administrative Support

The Director of Sustainability and Clerk or designate will be the administrative support for the Sustainable Communities Advisory Committee.

Committee Terms of Reference

E. Supported By

Strategic Plan

Environmental Protection

Fiscal Responsibilities and Technology Efficiencies

Streamline Planning Policies and Procedures

Customer Experience and Community Engagement

District and Township Relationship

Engage with Indigenous Communities