



Committee of Adjustment Terms of Reference

MANDATE

This Committee considers applications for minor variances from the Zoning By-law, applications for land division (consent to sever land), and variances to the fence by-law and any other specified by Council that implements the Official Plan. It is the responsibility of the Secretary-Treasurer to accept all applications for processing, upon submission by the applicant.

Applications to the Committee of Adjustment will be processed in accordance with the requirements of Sections 45 and 53 of the *Planning Act*, applicable regulations (O.Reg. 200/96 and 197/96 as amended) the *Statutory Powers Procedures Act* and Committee of Adjustment procedure.

The Committee is authorized by the *Planning Act* to consider applications for:

- Minor variances from the provisions of the Zoning By-law
- Extensions, enlargements or variations of existing legal non-conforming uses under the Zoning By-law
- Land division (severing a new lot from an existing lot, adding land to an existing lot, easements, mortgages or leases in excess of 21 years)
- Minor variances from the provisions of the fence by-law
- Determine whether a particular use conforms with the provisions of the Zoning By-law where the uses of land, buildings or structures permitted in the by-law are defined in general terms

COMMITTEE STRUCTURE

The Committee shall consist of a maximum of five members from the community that shall be appointed by Council.

Community members shall not be an employee of the municipality.

GENERAL RULES OF OPERATION

A majority of the members shall constitute a quorum.

ROLE OF COMMITTEE CHAIR

A committee Chair and Vice-Chair will be elected yearly from committee members to preside over meetings and committee business. The Chair's role is to:

- Preside at all meetings in accordance with the Town Procedural By-law.
- Control proceedings and discussion to ensure smooth transition of the business as listed on the agenda.
- Work co-operatively with staff representatives in the preparation of the agenda.
- Vote on all matters requiring a formal motion.



ROLE OF COMMITTEE MEMBERS

The Committee Members shall:

- Report to the Chair any issues that they feel should be addressed by the Committee.
- Attend and participate in Committee meetings;
- Contribute time, knowledge, skill and expertise during meetings in order to fulfill the Committee's mandate and report their concerns and issues to the Committee;
- Abide by the procedural decisions made by the Chairperson;
- Agree to disclose any pecuniary interests to the Chair in advance of a discussion on matters for which there may be financial gain for him/herself, partners or spouses or minor children.
- Shall actively participate in carrying out the responsibilities of the Committee

ROLE OF STAFF

- Corresponding with members of the Committee.
- Is without voting privileges.
- Act as the Committee Secretary / Treasurer, including Meeting Package preparation.
- Prepare Meeting Packages in co-operation with the Chair.
- Give Notice of Meetings and prepare all associated correspondence.
- Preserve all records and correspondence in accordance with the Town Records Retention By-law.
- Act as a resource personnel for Town policies and procedures.

REPORTING REQUIREMENTS

Committee minutes are to be provided to the CAO/Clerk for insertion on the Council agenda.

FINANCIAL PLANNING

Members of the public serving on the Committee will receive remuneration in the amount of \$20.00 per meeting attended.

FREQUENCY OF MEETINGS

The Committee will meet as applications for Consent to Server are marked complete by the Secretary / Treasurer. Meetings will generally be held at the Municipal Operations Centre, located at 408 James Street South, St. Marys.

TERM

The term of the Committee shall coincide with the term of the appointing Council.