



THE MUNICIPALITY OF

LAMBTON SHORES

Corporate Services

9577 Port Franks Road, R.R. #1

Theford, ON N0M 2N0

T: 519-243-1400 / 1-866-943-1400

www.lambtonshores.ca

Lambton Shores Committee of Adjustment and Property Standards Committee

Terms of Reference

Adopted by Council

Mandate:

The Committee of Adjustment and Property Standards Committee is a statutory tribunal with authority delegated to it by the Municipality of Lambton Shores Council, under the provisions of the *Ontario Planning Act*, to hold public hearings to make decisions on applications submitted to the Municipality of Lambton Shores for minor variances, alterations in legal non-conforming uses and consents (severances). The Committee operates independently from Council and its decisions may be appealed to the Ontario Municipal Board.

The Committee of Adjustment and Property Standards Committee may:

- Give consent to convey or divide land when a plan of subdivision is not necessary;
- Give consent for mortgage or charge land or grant an interest in land for 21 years or more, for example by easement, right-of-way, lease or agreements;
- Authorize minor variances from the provisions of the Municipal Zoning By-law for buildings or structures;
- Permit the enlargement or extension of an existing legal non-conforming building or structure.
- Authorize the Secretary-Treasurer to issue Certificates of Validation

Composition:

Elected Officials:

Three (3) Elected Officials as appointed by Council.

Public Stakeholders:

Council shall appoint four (4) public stakeholders to the Committee. Those public stakeholders appointed shall review all applications sent to them in advance of the meeting, visit the site of each application prior to the meeting, attend the Committee hearings, consider applicant, agency and public comments and make decisions in public regarding the applications and contribute time, knowledge, skill and expertise to the fulfillment of the Committee's mandate.

Committee Chair:

The responsibilities and expectations of the chair as follows:

- All of the responsibilities and expectations of committee members apply to the Chair.
- Maintain decorum and ensure fairness and accountability, and adherence to the Municipal Procedural By-law requirements.
- Facilitate the meeting by identifying the order or proceedings and speakers.
- Generally, refrain from the discussion until all committee members and Council liaison, if not the Chair, have had an opportunity to speak on a matter.

- Ensure active participation by all committee members.
- Be open-minded and encourage a variety of opinions to be heard.
- Respect the individual worth and dignity of other advisory committee members, and maintain a high degree of professionalism.
- The Chair has no authority to make decisions on his or her own, he or she can only run a meeting in a fair and efficient manner so that the will of the majority prevails after the minority has had a fair chance to present its point of view.
- Assist staff liaison when possible or when requested.
- Be the primary media contact representing the committee, in conjunction with the Mayor as the official spokesperson for the municipality.
- Make presentations to Council on behalf of the committee.

General Rules of Operation:

The Lambton Shores Committee of Adjustment and Property Standards Committee is subject to the control and direction of Council. All meetings of the Committee are open to the public, and rules governing the procedure for Council meetings shall be observed by the committee insofar as they are applicable.

All appointed members will be voting members, and a quorum of the committee shall be the majority of those appointed by Council as members of the committee.

All members of the Committee are to work in the best interests of Lambton Shores.

If the committee refuses or neglects to give due consideration to any matter assigned to it or before it, it may, by Council resolution, be discharged of its responsibilities.

The committee shall submit reports with recommendations to the Council on all matters connected with their duties or matters referred to it by the Council.

The goal of the Committee of Adjustment and Property Standards Committee is to:

- provide for and conduct a fair hearing by allowing anyone wishing to speak to an application an opportunity to do so;
- give due diligence to the consideration of each application;
- openly have discussions about each application and make all decisions in public at the hearing;
- make rational decisions with appropriate, well thought-out conditions;
- clearly state the reasons for their decisions.

Committee Resources:

The Municipality of Lambton Shores will provide administrative support and supplies as may be necessary to assist the Committee in its review which shall include preparing and circulating the Committee's agenda, attending meetings, drafting minutes, assisting

in the development of recommendations, data collection and compilation for the committee.

The Committee of Adjustment and Property Standards Committee is guided by planning policies and controls established by the Municipality of Lambton Shores through the Official Plan, Zoning By-law and other by-laws for controlling development and the planning policies of the Province of Ontario, including the Planning Act, statements of Provincial interest as defined in policy statements and implementation guidelines.

Remuneration: Remuneration shall be \$100 per meeting attended.

Frequency of Meetings:

Meetings will be held on the fourth Wednesday of each month, and/or as needed, beginning at 7:00 p.m. at the Administration Building, 9577 Port Franks Road, Thedford.

Municipal staff will be responsible for advertising meeting dates and location prior to each meeting, preparing the agenda, and keeping a meeting record.

Term:

The term for the appointment of members to the Committee will be the same as the Term of Council.