

Committee of Adjustment

December 2022 – October 2026

Terms of Reference

1. Committee Role

An independent body granted authority by the province of Ontario to provide relief from the provisions of the Township's Zoning By-Laws and empowered to grant consent on the severance of lots.

2. Responsibilities

Preside over hearings as required under the Township of Pelee Zoning By-Law and Planning Act. Render decisions in a timely manner in accordance with all-prescribed legislation.

3. Membership

The Committee of Adjustment will consist of three (3) citizens from the public and two Council Members. It is recommended that committee members have knowledge and/or background in planning. Members must be appointed by Council through a majority vote.

A committee member who does not uphold their responsibilities, misses three (3) consecutive meetings without a reasonable explanation or displays conduct incongruent with Townships best interest will be asked by the Chair to resign from the committee. If the member refuses to resign, Township administration reserves the right to remove any member from the committee. Any resignations or removals will be recorded in minutes. Any additions to committee within the designated term will be voted on by Council with a recommendation from the Chair of the Committee.

4. Meetings

The Committee of Adjustments will meet as needed. The meetings may be in- person or electronically and will always be open to the public. If a member is not able to participate in a meeting, that member can speak to the Chair in advance so that the Chair can share the member's perspective at the meeting. That member may also submit written comments or documentation in advance of the meeting. Submissions required for a meeting that are made after said meeting will not be considered for decision-making. Municipal support to host meetings electronically, create, post and circulate agendas per Procedural By-Law 2022-47.

5. Chair

A Member of Council shall be appointed to the committee to preside as Chair. The Member shall be appointed by Council through majority vote.

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The Chair shall:

- Call meetings of the committee in conjunction with the Clerk, or designate;
- Call meetings to order;
- Chair meetings of the committee;
- Designate another committee member to chair the committee in the Chair's absence; and
- Assist staff in reporting to Council and Administration on the work of the committee.

6. Quorum

Quorum shall be the majority of the whole number of the members, meaning over 50% of the voting members must be present at a meeting to proceed.

7. Decision-making

The committee shall strive for consensus (i.e. “you can live with the decision/idea”) when making decisions. If consensus cannot be achieved, the committee members must agree on how to deal with the outstanding issue, i.e. vote, continue discussion, table the issue to another meeting or defer the issue to Council and/or Administration failing to achieve consensus.

8. Agendas

The Clerk, or their delegate, shall prepare agendas and attend meetings filling the secretary position. Agendas will follow a similar format and outline to that of Council agendas, with the same deadlines on item inclusion, notice of meetings, etc.

9. Minutes/Reporting

The secretary position supporting the committee shall take minutes at the committee meetings and the minutes shall be approved at subsequent meetings and approved minutes will be included in the following Regular Meeting of Council Consent Agenda. Minutes shall be posted at pelee.org by the secretary following approval. Reporting to Council will be done through Committee Reports written and presented by the secretary in conjunction with the Chair or a delegate.

10. Guests and Delegations

The Chair may invite guests to attend meetings as a resource as required. The Clerk may direct delegation requests to the committee if the subject matter is better suited for such, however no delegation requests will be directly received by the committee. All delegation requests must be received in writing to the Clerk.

11. Accountability

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The Committee of Adjustment will be accountable to the Township Council through the Chair of the committee.