

Municipality of Chatham-Kent

Development Services

Planning Services

To: Mayor and Members of Council

From: Anthony Jas
Manager, Development, Planning Services

Date: September 12, 2023

Subject: Citizen Appointment to Committee of Adjustment

Recommendation

It is recommended that:

1. Tricia Weese be appointed to the Committee of Adjustment for the remainder of the 2022-2026 term.

Background

The Committee of Adjustment is a statutory tribunal with authority delegated to it by Municipal Council, under provisions of the Ontario Planning Act, R.S.O. 1990 c. P. 13 (Planning Act). Under the current delegation by-law, the Committee of Adjustment has the authority to:

- Grant minor variances from the Zoning By-law, Fencing By-law and Sign By-law.
- Grant the extension or enlargement of a legal non-conforming use.
- Grant consents to sell, convey or transfer an interest in "part" of an owner's land, except for new lot creation on lands designated for employment land uses or commercial land uses in the Official Plan and/or on lands zoned with an industrial or commercial land use classification in the Zoning By-law.
- Grant consents when the terms of an agreement commits the land to a use for a period in excess of 21 years (i.e. lease, easement or mortgage).
- Issue a Certificate of Validation.
- Give approval of a foreclosure or exercise of Power of Sale in Mortgage or Charge.

The Committee operates independent from Council and has the authority to hold public hearings to consider applications submitted to the Municipality under the Planning Act. These decisions may be appealed to the Ontario Land Tribunal (OLT).

As set out in the Terms of Reference, the Committee of Adjustment is to be composed of six (6) members, consisting of one (1) representative from each Ward of Chatham-Kent, who demonstrates the following qualifications:

- A commitment to and interest in the community.
- An understanding of the planning framework and planning instruments including the Chatham-Kent Official Plan, Zoning By-law, and the Provincial Policy Statement.
- Organized, available and committed to attending all Committee meetings.
- Objective and have an open mind in order to fully consider the evidence provided.
- Access to a computer and an e-mail address in order to receive and respond to Committee communications and information, including hearing and application notices and agenda packages with large text and graphic files.

Comments

Following a general call for membership to Committees of Council for the 2022-2026 term, Council appointed six (6) members to the Committee of Adjustment. Since this appointment, one (1) member has moved away from Chatham-Kent and is no longer able to serve as a member of this committee. A formal resignation was received by Administration.

In an effort to fill this vacancy, a review of the remaining applications received during the general call for membership was undertaken. Consideration was given to Ward representation. All remaining candidates reside in Ward 6.

The recommendation is to appoint a new member to the Committee of Adjustment who demonstrates the qualifications expected for membership, as noted above, including the ability to attend hearings that are scheduled for Thursday mornings, once or twice every month.

Areas of Strategic Focus

This report supports the following areas of strategic focus:

			
Economic Prosperity	Healthy & Safe Community	People & Culture	Environmental Sustainability

Consultation

There was no consultation required.

Communication

Communication is proposed to be through the inclusion of this report on the Council agenda and related communications.

Diversity, Equity, Inclusion and Justice (DEIJ)

This report does not have implications related to diversity, equity, inclusion or justice.

Financial Implications

There are no financial implications resulting from the recommendation.

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