

Authoritative Committee of Council

Committee of Adjustment

Section 44 of the Planning Act, R.S.O., 1990 authorizes Council to appoint a Committee of Adjustment to deal with planning applications under Section 45 of the Planning Act, R.S.O., 1990 and to empower a Committee of Adjustment to grant minor variances from the provisions of any by-law of the Municipality that implements the Official Plan.

Section 54 of the Planning Act, R.S.O., 1990 authorizes Council to delegate the authority for the giving of consents under Section 53 to a Committee of Adjustment.

On August 21, 2017 Council approved By-law 122-2017 to appoint a Committee of Adjustment to deal with various planning matters. The committee is comprised of six members of the public, one from each ward.

The Committee of Adjustment has been granted 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.
- Combined Consent and Minor Variance applications.

No changes are being recommended to the committee at this time.

More information about the [Committee of Adjustment](#) can be found on the municipal website.

By-law Appeal and Property Standards Committee

The By-law Appeal and Property Standards Committee is responsible for hearing appeals from the decision of municipal administrative officials under Municipal By-laws, where those by-laws specifically provide a right to appeal to the By-law Appeal Committee or the Property Standards Committee.

The committee currently hears appeals on the following by-laws:

- Property Standards By-law
- Clean and Clear By-law
- Derelict Vehicles By-law

- Long Grass and Weeds By-law
- Open Burn By-law
- Fireworks By-law
- Vehicle for Hire By-law
- Responsible Animal Ownership By-law
- Consolidated Licensing By-law

Adding appeals for the Development Charges By-law (both for water/wastewater and land development) was considered, however the *Development Charges Act* requires updates to the background study and further public consultation before any amendments can be made to these by-laws. This will be considered again when the by-laws come up for their scheduled five year review.

The committee is comprised of five members of the public appointed by Council.

No changes are being recommended to this committee at this time.

More information about the [By-law Appeal and Property Standards Committee](#) can be found on the municipal website.

Drainage Board / Court of Revision

The Municipality of Chatham-Kent was granted authority through Private Members Bill Pr19 to establish a Drainage Board and delegate to that board any of its powers and duties under the Drainage Act, except for its power to make by-laws and resolutions. Bill Pr19 defines that membership on the board is restricted to individuals eligible to be elected to Council or who are current members of Council.

As noted in the body of the report, administration is recommending that the Terms of Reference be amended so that all members are appointed at large. While every effort will be made to recruit members from across the rural areas of the municipality, removing the ward specific requirement will assist in having the most qualified candidates recommended for appointment on the board.

More information about the [Drainage Board](#) can be found on the municipal website. The page will be updated with the new Terms of Reference once approved by Council.

Election Compliance Audit Committee

Section 81.1(1) of the Municipal Elections Act mandates the establishment of a compliance audit committee before October 1st of an election year. The Compliance Audit Committee is responsible for considering any application for a compliance audit and deciding whether it should be granted or rejected.

As noted in the body of the report, administration is recommending that the composition of the committee be changed to a minimum of 3 members and a maximum of 7 members. The Terms of Reference have also been amended to reflect the changes under Bill 181 and better define the role of the committee and staff.

More information about the [Election Compliance Audit Committee](#) can be found on the municipal website. The page will be updated with the new Terms of Reference once approved by Council.