



## Terms of Reference

### Committee of Adjustment

**Date Approved by Council:** January 9, 2023

**Sunset Date:** N/A

**Mandate:**

To act as a quasi-judicial hearing body that receives applications and make decisions on requests for minor variances from the provisions of the Town's Zoning By-law and requests for consent with respect to:

- severing property to create a new lot or form a lot addition
- easements
- entering into an agreement or lease that extends for more than 21 years
- reviewing applications for validation of titles

**Goals/Objectives:**

Planning Act, s. 45:

- (1) The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38 of the Planning Act or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained
- (2) The committee of adjustment shall authorize a minor variance under subsection (1) only if, in addition to satisfying the requirements of that subsection, the minor variance conforms with,
  - (a) the prescribed criteria, if any; and
  - (b) the criteria established by the local municipality by by-law, if any.

**Reporting to Council:**

N/A

**Enabling Legislation, By-Law or Staff Report:**

Planning Act  
CPS-2022-069, December 12, 2022

**Committee Composition:**

No less than three and up to five (5) members of the public

The members of the Committee of Adjustment will also be appointed to serve on the Property Standards Appeal Committee and Dog Designation Appeal Committee.

**Skills Requested**

Preference may be given to eligible candidates:

- knowledge of planning processes including minor variance and consent processes
- with knowledge and prior experience in administrative law
- able to carry out a fair and impartial hearing
- able to communicate effectively with the public
- able to write a clear and concise decision
- with excellent written and oral communication skills

**Administration Section**

Department Linkage and Staff Support:

Corporate Services Department, Clerk's Division  
Infrastructure Services Department, Planning Division  
Other divisions to provide support, as needed

**Meeting Frequency:** Once per month or as required