



The Corporation of the Municipality of South Huron

By-Law # 16-2019

Being a By-law to establish a Committee of Adjustment and Terms of Reference

Whereas Section 44 (1) of the Planning Act, S.O., 1990, c. P.13, (hereinafter called the "Act"), provides that a Council of Municipality may, by By-law, constitute and appoint a Committee of Adjustment for the municipality composed of such persons, not fewer than three, as the council considers advisable; and

Whereas pursuant to Section 44(3) of the Planning Act the members of the committee who are members of a municipal council shall be appointed annually; and

Whereas pursuant to Section 44 (4) of the Planning Act, members of the committee shall hold office until their successors are appointed, and are eligible for reappointment, and, where a member ceases to be a member before the expiration of his or her term, the council shall appoint another eligible person for the unexpired portion of the term; and

Whereas pursuant to Section 44 (5) of the Planning Act, where a committee is composed of three members, two members constitute a quorum, and where a committee is composed of more than three members, three members constitute a quorum.

Whereas Section 45(3) of the Act provides that a Council that has constituted a Committee of Adjustment may, by by-law, empower the Committee of Adjustment to grant minor variances from the provisions of any by-law that implements an Official Plan; and

Whereas Council for the Corporation of the Municipality of South Huron deems it advisable to establish such a Committee and to provide for terms of reference and to delegate to said Committee the authority of Council with respect to minor variances;

Now therefore be it resolved that the Council of The Corporation of the Municipality of South Huron enacts as follows:

1. A Committee of Adjustment for the Municipality of South Huron is hereby established.
2. That the Council of the Municipality of South Huron hereby delegates to the Committee of Adjustment the authority to hold any necessary hearings and decide whether to grant any application for a minor variance, including the power to impose conditions, and this authority shall be exercised in accordance with the Act, any regulations thereunder and this By-law;

3. That the Terms of Reference of the Committee of Adjustment are set out in Schedule "A" attached hereto and forming part of this By-Law.
4. The short title of this By-Law is the "Committee of Adjustment By-Law".
5. That this By-Law shall come into force and take effect upon its passing.

Read a first and second time this 19th day of February, 2019.

Read a third time and passed this 19th day of February, 2019.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk