



LAND DIVISION COMMITTEE

TERMS OF REFERENCE

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1. MANDATE

While the Land Division Committee (LDC) is a Council-appointed tribunal, the Committee exercises its authority autonomously and independent of Council. The LDC's mandate is to exercise the following powers and authorities, unless otherwise delegated by Bylaw:

- Applications for Consent to Sever a property or for any agreement, mortgage or lease that extends for more than 21 years under Section 53 of the Planning Act:
 - Committee may impose conditions to the approval of a severance.
- The authority to issue certificates for validation of title in accordance with Section 57 of the Act.
- Applications for lot additions, right of ways, or easements
- Any additional power and authority delegated to it by Council as ratified by Bylaw

2. HEARINGS

The goal of the Land Division Committee is to provide for and conduct a fair hearing by:

- Allowing anyone wishing to speak to an application an opportunity to do so.
- Giving due diligence to the consideration of each application.
- Openly having all discussions about each application and making all decisions in public at the hearing.
- Making rational decisions with appropriate, well-thought-out conditions.
- Clearly stating the reasons for their decisions.

General Rules of Hearings are as follows:

- Committee Members will elect a chair on an annual basis.
- In accordance with Section 44 of the Planning Act, the LDC will consist of three members, while two members constitute a quorum.
- Voting is by simple majority on the application. A tie vote means the application is refused.
- Rules of decorum and rules of order shall generally be consistent with the approved Procedural Bylaw of the County, as it applies to the Land Division Committee.
- The Committee shall follow the attached "Rules of Order".

3. SCHEDULE AND LOCATIONS OF MEETING

Land Division public hearings are scheduled to be held once each month with the exception of July. Meetings will be held in the Lanark County Administration Building Council Chambers. The public hearings are a hybrid format, enabling public participation either in person or via zoom.

4. DUTIES AND RESPONSIBILITIES

Chair

- Presides at all Land Division hearings and meetings and exercises authority and performs duties as required.
- Provides guidance and leadership to the committee in the completion of its mandate.
- Ensures that decorum is maintained at each hearing and meeting and that rules of procedure and conduct are observed.

All Members

- Review applications sent to them in advance of the hearing.
- Are encouraged to visit or review aerial mapping of the the site of applications prior to the hearing, individually.
- Attend Land Division Committee hearings, consider applicant, agency and public comments, make decisions in public regarding applications and sign the decisions.
- Contribute time, knowledge, skill and expertise to fulfill the Committee mandate.
- Are cognizant of any conflict of interest or perceived conflict in terms of issues that may serve to benefit them, or their relations.
- Act to protect the privacy of individuals with respect to personal information contained in application forms and information circulated to the Committee and to ensure that personal information is used solely for the processing of the application.
- Conduct themselves in accordance with the approved Council and Local Board Code of Conduct and any other applicable legislation or bylaws.

Administrative Support Staff

Secretary-Treasurer (non-voting position)

- Responsible for all LDC administrative duties.
- Review all applications for processing.
- Distribute the agenda and public notice.
- Record and circulate the minutes.
- Issue decisions.
- Follow up on any questions and/or concerns from the Committee members and public.

Planner (non-voting position)

- Act as subject matter expert and provide information to assist the LDC in reaching decision.
- Prepare reports outlining the consistency and conformity with relevant planning policies and provide a planning recommendation on each application to the Committee.

5. REMUNERATION

Committee remuneration will be paid in accordance with the Elected Official, Lay Members and Land Division – Meeting and Remuneration Policy.

Travel reimbursement shall be paid in accordance with Travel Management and General Expenses Policy. All amounts will be expended to the Planning Budget for salaries and wages and travel expense.

6. TERM

The term of the LDC shall be until the end of the term of Council.

If required, the length of the appointed term will be until replacement is required, in accordance with the Lanark County Procedural By-law, as amended.

AUTHORIZATION

Recommended by the Striking Committee:

Dated:

Chair,

Adopted by Council:

Dated:

Warden, Peter McLaren

APPENDIX I – RULES OF ORDER

7.5 Rules of Order

7.5.1 No person shall:

- a) disturb a meeting by any disruptive or distracting conduct;
 - a. including private conversations among Members or Attendees at a meeting;
- b) use profane or offensive words or insulting expressions;
- c) disobey the rules of procedure;
- d) rise from their seat or make any noise or disturbance while a vote is being taken;
- e) speak until they have been recognized by the Chair;
- f) display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behavior which may be considered disruptive.

7.5.2 An Attendee shall not participate in a Meeting, unless as called upon by the Chair during an appropriate portion of the meeting

7.5.3 A Member shall not interrupt a Member who is speaking, except to raise a point of order or a Point of Privilege.

7.5.4 A Member shall not permanently leave the meeting without previously advising the Chair or the Secretary/Treasurer

7.5.5 In the event that a Member or Attendee persists in a breach of Subsection 7.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.

7.5.6 If the Committee decides the question set out in Subsection 7.5.5 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat for the duration of the meeting.

7.5.7 If the Member or Attendee apologizes, the Chair, with the approval of the Committee, may permit them to resume their seat.

7.5.8 If a Member or Attendee does not leave their seat after being ordered to do so by the Chair in accordance with Subsection 7.5.5 above, and if the Member or Attendee does not apologize in accordance with Subsection 7.5.6 above, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.

7.5.9 If Committee decides the question set out in Subsection 7.5.8 above in the affirmative by a majority vote of the Members present, the Chair shall direct the

Secretary Treasurer to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP).

7.5.10 All cell phones and electronic devices not required for conducting a meeting shall be either turned off or otherwise set so as not to emit any audible sound during a meeting.

7.5.11 During a Committee meeting member laptops, iPads and/or tablets shall be used exclusively for LDC business.