

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

BYLAW NO. 2048

A Bylaw to Establish an Advisory Planning Commission

WHEREAS by the *Local Government Act*, a Council may, by bylaw, establish an advisory planning commission to advise Council on all matters that are referred to the Commission by the Council respecting land use, community planning or proposed bylaws and permits, and to designate the advisory planning commission to act as a community heritage commission.

NOW THEREFORE the Council of the District of Central Saanich, in open meeting assembled, enacts as follows:

Title

1. This Bylaw may be cited as "**Advisory Planning Commission Bylaw No. 2048, 2020**".

Establishment of a Commission

2. A Commission to be known as the "Central Saanich Advisory Planning Commission" hereinafter referred to as the "Commission", is hereby created.
3. The Commission is designated as a community heritage commission pursuant to Section 597 of the *Local Government Act*.

Commission Membership

4. The Commission shall consist of nine members, appointed by Council as follows:
 - a) four members shall be appointed for a term expiring December 31, 2020; thereafter, each member shall be appointed for a two year term and shall continue to serve until they resign or a successor is appointed;
 - b) five members shall be appointed for a term expiring December 31, 2021; thereafter, each member shall be appointed for a two year term and shall continue to serve until they resign or a successor is appointed;
5. At least 2/3 of the members of the Commission must be residents of the District of Central Saanich.

Terms of Commission Membership

6. No member shall serve more than three consecutive terms on the Commission.
7. Any member of the Commission who fails to attend three (3) consecutive meetings of the Commission, except because of illness or with leave of Council, shall be deemed to have resigned their membership and section 9 of this bylaw applies.
8. At any time, the Council may by a vote of at least 2/3 of the members present and voting at a meeting of Council, revoke the appointment of any Advisory Planning Commission member.

9. In the event of a vacancy occurring on the Commission, Council shall appoint a new member to fill the vacancy for the unexpired term thereof.
10. A Council member, employee or officer of the municipality or an approving officer, is not eligible to be a member the Advisory Planning Commission.
11. Any Council member in attendance at an Advisory Planning Commission meeting may:
 - a) not vote on any matter before the Commission;
 - b) not enter into debate
 - c) by consensus of the Commission and invitation by the Chair, represent the interests of Council based on current Strategic Plan and Council policies.

Commission Meeting Procedures

12. The meetings of the Commission shall be presided over by a Chair who shall be elected from the Commission members at the first meeting of each calendar year. The Chair shall appoint another Commission member as Acting Chair in case of the Chair's absence. The Chair shall be entitled to vote at all meetings.
13. A majority of members shall constitute a quorum of the Commission.
14. The Commission shall, by resolution, establish rules for its procedure, and may from time to time vary such rules by a vote of the majority of the members present at a meeting.
15. Where not provided by this bylaw or the procedural rules established by the Commission, the most current version of Robert's Rules of Order will apply to the proceedings of the Commission, to the extent that those rules are:
 - a) applicable in the circumstances; and
 - b) not inconsistent with this Bylaw, the procedural rules established by the Commission or the *Community Charter* or the *Local Government Act*.
16. Regular meetings shall take place monthly as necessary to address the business of the Commission.
17. Where the Commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the Commission to be heard.
18. All meetings of the Commission shall be open to the public. Members of the public will not, however, be provided an opportunity to address the Commission; if a member of the public wishes to comment on a matter relating to the Commission or its business, such comment may be submitted to the Council.

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19. A Commission member who has a direct or indirect pecuniary interest, or another interest in a matter that constitutes a conflict of interest in a matter before the Commission for consideration shall:
- a) In an open session declare such interest of conflict
 - b) Refrain from participating in any discussion or voting on the matter; and
 - c) Leave the meeting room for the duration of the discussion or voting on the matter
20. All decisions of the Commission shall be reached by a majority vote of the members present, including the vote of the Chair, with the motion being defeated in the event of a tie vote.

Electronic Meetings

21. During the Provincial state of emergency declared on March 18, 2020 in response to the COVID-19 Pandemic, and subject to the authority of Ministerial Orders, the following procedures apply:
- a) A Commission meeting, except for any part of the meeting that is closed to the public, may be conducted by means of electronic or other communication facilities provided that the facilities:
 - I. enable the participants to hear, or watch and hear, each other; and
 - II. enable the public to hear the participation of all members during the meeting.
 - b) A Commission member may participate in the meeting by means of electronic or other communication facilities only if it is impossible or impractical for the members to be physically present at the meeting.
 - c) A Commission member participating in a meeting by means of electronic or other communication facilities must have received the agenda materials prior to the commencement of the meeting.

Duties and Referrals

24. Council may, by resolution, request the Commission to advise Council on any matter respecting land use, community planning or proposed bylaws and permits under Division 4 to 14 of Part 14, and Section 546, of the *Local Government Act*, including:
- a) Official Community Plans;
 - b) Zoning Bylaws;
 - c) Development Approval Information Requirements;
 - d) Development Permits;
 - e) Temporary Use Permits;
 - f) Development Variance Permits;
 - g) Subdivision and Development Servicing Requirements and Related Matters;
 - h) Phased Development Agreements;
 - i) Runoff Control Requirements;
 - j) Flood Plain Requirements;

- k) Off-street Parking and Loading Requirements;
 - l) Sign Regulations; and
 - m) Landscaping and Screening Regulations.
25. When considering matters pertaining to land use, community planning or proposed bylaws and permits under the *Local Government Act* that are referred to the Commission by Council, the Commission shall also advise Council on the following:
- a) affordable housing issues and aspects of housing affordability
 - b) economic development issues
 - c) environmental issues
 - d) pedestrian, cycling and transit issues and on matters related to pedestrian and cycling routes and provision of non-automotive transportation facilities
26. Council may, by resolution, request the Commission to advise Council on:
- a) community heritage matters under Part 15 of the *Local Government Act*
 - b) agricultural matters and all matters respecting applications initiated under the *Agricultural Land Commission Act* and the *ALR Use Subdivision and Procedure Regulation*, including:
 - i. applications to approve Non-Farm Use of land in the Agricultural Land Reserve;
 - ii. applications to subdivide land in the Agricultural Land Reserve;
 - iii. applications to include or exclude land from the Agricultural Land Reserve; and,
 - iv. applications to remove soil or deposit fill on land in the Agricultural Land Reserve.
27. District of Central Saanich Advisory Planning Commission Bylaw, No. 2005, 2019 is repealed.

READ A FIRST TIME on this 25th day of May, 2020.

READ A SECOND TIME on this 25th day of May, 2020.

READ A THIRD TIME on this 25th day of May, 2020.

ADOPTED this 25th day of May, 2020.


Ryan Windsor
Mayor


Liz Cornwell
Corporate Officer

