



## The Corporation of the Municipality of Red Lake

### **PLANNING ADVISORY COMMITTEE**

#### Terms of Reference

##### Purpose

The Planning Advisory Committee is an advisory committee to Council and is established under the authority granted by the Province of Ontario pursuant to Section 8(1) of the *Planning Act*, 1990 for the purposes of providing Council with recommendations specific to community planning matters, development and policies.

##### Mandate

The purpose of the Planning Advisory Committee is to oversee the land use development in the Municipality of Red Lake having regard to the Provincial Policy Statement, The Corporation of the Municipality of Red Lake Official Plan and Zoning By-Law and to the principles of organized and reasonable development.

The functions and duties of the Planning Advisory Committee are as follows:

##### Policy Review

- Review from time to time the provisions of the Official Plan, Zoning By-Law and related municipal policy; and to recommend to Council amendments thereto which would be in the best interest of The Corporation of The Municipality of Red Lake and its ratepayers.
- Review, recommend and hold public meetings required for Official Plan and Zoning By-Law updates.
- Recommend policies and procedures regarding land development and land use to Council for possible implementation.

##### Application Review

- Review, process and make recommendations to Council on applications for Official Plan and Zoning By-Law Amendments, pursuant to Sections 22 & 34 of the *Planning Act* and conduct public meetings (hearings) as delegated by Council on such applications.
- Review, process and make recommendations to Council on applications for Plans of Subdivision and Plans of Condominium pursuant to Sections 51 and 51.1 of the *Planning Act* and Section 9 of the *Condominium Act* and public meetings (hearings) as delegated by Council on such applications.

Application Review – continued.

- Review, process and make recommendations to Council on applications and/or agreements for Site Plan Control.
- Review, process and make recommendations to Council on agreements – ie. Subdivision and Condominium Agreements.
- Attend site inspections for properties subject to application review as required.
- Review, process and make recommendations to Council on land or land use-related matters over which Council has approval authority.
- Review, process and make recommendations to Council on development of subdivisions by the Municipality

Operation

The legal procedures detailed in the *Planning Act*, *Municipal Act*, *Municipal Conflict of Interest Act* and *Municipal Freedom of Information and Protection of Privacy Act* govern the Planning Advisory Committee.

Meetings

Planning Advisory Committee meetings are held once monthly, or more often at the call of the Chair, in the Council Chambers, Municipal Office. The schedule of monthly meetings shall be established annually by members at the first regular meeting. All meetings shall be conducted in accordance to the Municipality of Red Lake Procedural By-Law.

Reporting

The Planning Advisory Committee reports to Council. The liaison between PAC and Council shall be the Chief Administrative Officer with assistance by the Secretary-Treasurer.

Minutes of the Planning Advisory Committee shall be recorded by the Recording Secretary.

Copies of "Draft Minutes" shall be distributed to the Clerk for placement in Council mailboxes prior to approval by PAC for circulation to members of Council.

Approved Minutes shall be forwarded to the Clerk for inclusion on the Council agenda.

Decisions of the Committee shall be a resolution to Council.

Clerical support to the Secretary-Treasurer will be through the Clerk's office.

## Organization

The Committee is composed of seven (7) members appointed by resolution of Council of which one (1) member is a member of Council.

Committee members elect a Chair and Vice-Chair annually. When the Chair is absent, the Vice-Chair serves as Chair and when both Chair and Vice-Chair are absent, the Committee appoints another member as Acting Chair.

## Term of Office

The term of new appointments is for a maximum of four (4) years, commencing with the term of new Council, the first Monday in December after a municipal election and expiring November 30<sup>th</sup> in an election year. Members hold office until their successors are appointed. Members are eligible for reappointment. Where a member ceases to be a member before their expiration of their term, Council will appoint another eligible person for the unexpired portion of the term.

## Member Eligibility/Application/Appointment/Vacancies

In accordance to the "Appointments of Citizens to Boards & Committees" Policy.

## Absenteeism

Members who are unable to attend hearings are required to report their absence to the Secretary prior to the hearing date and/or time. Members having three (3) consecutive unexcused absences shall be deemed to have resigned from the Committee, and shall be replaced through the member appointment process. The Chair shall discuss their commitment with any members having continuous "excused absences", and may recommend replacement through the member appointment process.

## Quorum

A majority of members of the Planning Advisory Committee constitutes quorum pursuant to Section 14.2(2) of the *Planning Act*.

For the purposes of the seven (7) members appointed to The Corporation of the Municipality of Red Lake's Planning Advisory Committee, the quorum is four (4) members.

Voting is by simple majority on the application. A tie vote means the application is refused.

## Duties and Responsibilities

### Chair

- Presides at all Regular and Public meetings (hearings) and exercises authority and performs duties as required.
- Provides guidance and leadership to the committee in the completion of its mandate.

Duties and Responsibilities – continued.

- Ensures that decorum is maintained at each meeting and that rules of procedure and conduct are observed.

Vice Chair

- Acts in the Chair's absence and assumes the roles and responsibilities of the Chair.

Secretary-Treasurer

- Carry out municipal plan review on development applications and proposals, as required.

Code of Conduct

*Municipal Act, Planning Act*

Planning Advisory Committee decisions will be made at a public meeting (hearing). All information pertaining to an application will be presented at the meeting and all discussion on the specifics of an application will take place at the meeting.

*Municipal Conflict of Interest Act*

Members may have pecuniary conflict of interest as they have decision-making ability. Members should be cognizant of conflict of interest or perceived conflict of interest in terms of issues which may serve to benefit them personally.

*i) a) When present at a meeting at which matter considered*

Where a member, either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Planning Advisory Committee public meeting (hearing) at which the matter is considered, the member:

- Shall, prior to any consideration of the matter at the public meeting (hearing), disclose the interest and the general nature thereof;
- Shall not take part in the discussion of, or vote on any question in respect of the matter;
- Shall not attempt in any way whether before, during or after the public meeting (hearing) to influence the voting on any such question.

*b) When present at a "closed" meeting (hearing) at which matter considered*

Where a meeting (hearing) is not open to the public, in addition to complying with the requirements set out above, the member shall forthwith leave the meeting (hearing) or the part of the meeting (hearing) which the matter is under consideration.

*ii) When absent from meeting at which matter considered*

Where the interest of a member has not been disclosed by reason of the member's absence from the public meeting (hearing), the member shall disclose the interest and the general nature thereof, and comply with the requirements listed above, at the first hearing attended by the member after the public meeting (hearing) at which the matter was considered.

Code of Conduct – continued.

*iii) Disclosure to be recorded in the minutes*

Every declaration of interest and the general nature thereof shall be recorded in the minutes of the meeting.

*Municipal Freedom of Information and Protection to Privacy Act*

Members will 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 the personal information is used solely for the processing of the application.

Administrative Support Staff

Secretary-Treasurer (Chief Administrative Officer or Designate) (Non-Voting)

Recording Secretary (Executive Secretary) (Non-Voting)

Other Items of Reference

Except as otherwise provided in the Terms of Reference, all other procedural matters respecting the calling, place and proceedings of meetings shall be governed under the Municipal Procedural By-Law. Where there is a contradiction between the Terms of Reference in terms of hearing procedure rules, the Municipal procedural by-law and applicable legislation shall prevail.

The Planning Advisory Committee is subject to the Open and Transparency and Accountability By-Laws/Policies of the Municipality of Red Lake.

Terms of reference shall be reviewed during the term of each Council or more frequently, as required.

No honorarium will be paid to members.

Agenda

The Secretary-Treasurer shall prepare agendas. Any items for inclusion on the agenda must be submitted to the Secretary-Treasurer by 4:30 p.m. the Monday of the week immediately preceding Committee meetings. Insofar as practicable, agendas, along with supporting material shall be prepared and mailed or made available for pick-up by members on the Wednesday prior to the week in which the meetings are scheduled.

## **PART B**

### Code of Conduct for Council Appointed Committee Members

1. Members shall attend and actively participate in all meetings.
2. Members shall not interfere with the operational decisions and responsibilities of the day to day operation of the municipal workforce.
3. Members are encouraged to undergo any training that may be provided for them through the Ministry of Municipal Affairs and Housing.
4. Members shall keep confidential any information disclosed or discussed at a meeting which is closed to the public.
5. Members shall discharge their duties loyally, faithfully, impartially and according to the Municipal Act or any Regulation, Rule or By-Law.
6. Members shall not use their office to advance their interests or the interests of any person or organization with whom or with which they are associated.