



THE CORPORATION OF THE
CITY OF CRANBROOK

BYLAW NO. _____ **3130**

ADVISORY PLANNING COMMISSION

A Bylaw to establish an Advisory Planning Commission.

WHEREAS Section 955(1) of the Municipal Act allows a Municipal Council to establish an Advisory Planning Commission to advise the Council on matters respecting land use, community planning or proposed bylaws and permits under Divisions (1), (4), (5) and (7) of Part 29 of the Act;

NOW THEREFORE the Council of the Corporation of the City of Cranbrook, in open meeting assembled, enacts as follows:

PART 1 - DEFINITIONS

- I This bylaw may be cited for all purposes as the City of Cranbrook Advisory Planning Commission Bylaw 1993 hereinafter cited as the "A.P.C. Bylaw".
- II "City" shall mean the Corporation of the City of Cranbrook or the area contained within the boundaries of the City as the context requires.
- III "Council" shall mean the Municipal Council of the Corporation of the City of Cranbrook.
- IV "Commission" shall mean the City Advisory Planning Commission as appointed by the Council.
- V "The Clerk-Administrator" shall mean the Clerk-Administrator for the Corporation of the City of Cranbrook as appointed by Council.

PART 2 - ESTABLISHMENT

- I The Commission is hereby established and is empowered to make recommendations and to advise Council on matters specified in Part 7 of this Bylaw.

PART 3 - COMPOSITION AND APPOINTMENTS

- I The Commission shall consist of not more than seven (7) voting members, who shall be residents of the City and who shall be appointed by resolution of the Council.

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- II Council shall appoint two (2) non voting Council members to attend Commission meetings.
 - III In making appointments to the Commission, Council shall attempt to ensure that the membership of the Commission is balanced to represent a cross-section of the residents of the City of Cranbrook.
 - IV The Clerk-Administrator shall appoint a City employee to act as Secretary to the Commission and Technical Advisors as deemed necessary.

PART 4 - TERMS OF APPOINTMENT

- I Members of Council appointed to the Commission shall be appointed annually at the Inaugural meeting of Council.
- II Members from the public-at-large shall serve for a term not to exceed three (3) years. Appointments to the Commission shall be made at the Inaugural meeting of Council following Municipal Local Elections.
- III A person appointed as a member of the Commission may be reappointed for a further term. However, the maximum consecutive number of years that a person may serve as a member of the Commission is nine (9) years.
- IV The Council may by resolution remove a member from the Commission and may at any time appoint a new member to fill the vacancy caused by the removal for the unexpired term thereof.
- V An appointment to fill a vacancy on the Commission caused by the resignation or death of a member shall be by resolution of Council and shall be for the unexpired term thereof.
- VI If any member of the Commission is absent from two (2) consecutive meetings, unless otherwise permitted by the Commission, then Council may, upon recommendation of the Commission, declare the position of the absent member to be vacant.

PART 5 - ANNUAL BUDGET

- I The Secretary shall prepare an annual budget for the upcoming year containing estimates for:
 - (A) meeting expenses;

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- (B) City costs associated with staff's work related to the Planning function;
 - (C) funds to pay for reasonable and necessary expenses that arise directly out of the performance of Commission members' duties;
 - (D) any other expenses specifically itemized;
- II The Commission shall have no power to raise money or expropriate land, but it may be authorized to expend such funds as may be made available to it by Council.

PART 6 - PROCEDURES

Inaugural Meeting

- I The Commission shall, at its first meeting following the Council's annual inaugural meeting, appoint from among the members, a chairperson and vice-chairperson. At that meeting, the selection of a chairperson and vice-chairperson shall be the first order of business and the secretary to the Commission shall preside for the selection process.
- II Meetings shall be scheduled as required by the Secretary in consultation with the Chairperson.
- III The Agenda and supporting documentation shall be prepared by the Secretary and mailed or otherwise delivered to each member of the Commission so that the information is received by each member not less than forty-eight (48) hours before the meeting of the Commission.
- IV An applicant for an amendment to the Official Community Plan, Zoning Bylaw, or for the issue of a permit to be considered by the Commission, shall be notified by the secretary to the Commission. Such notice to be mailed or otherwise delivered to the applicant so that the applicant receives the notice not less than three (3) days before the matter is to be considered by the Commission. Notwithstanding the foregoing, if, when the applicant is present at the meeting, consideration of the applicant's matter is deferred to another specified time, such notice is not required.
- V A quorum of the Commission for the purpose of conducting business, is a majority of the voting members of the Commission.
- VI The chairperson shall generally conduct the meeting in accordance with the Rules of Procedure for meetings of the Council.
- VII The Commission may request the attendance of other City staff through the Clerk-Administrator as may be required.

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- VIII Recommendations and advice on all matters considered by the Commission shall be made by majority vote of all members. A member who abstains from voting shall be deemed to have voted in the affirmative. On a tie vote, the question shall be negatived.
- IX Only those members of the Commission present at a meeting of the Commission shall vote on any matter before it.
- X The Commission shall have prepared and maintained, a file of written minutes of the business transacted at all meetings of the Commission, copies of which shall be regularly filed with Council and the Clerk-Administrator.
- XI The Commission may make rules as are necessary for the conduct of its meetings and its business that are consistent with the Municipal Act, the City Zoning Bylaw and City Official Community Plan, as amended from time to time by Council.
- XII Remuneration, travel and subsistence expenses of the Chairman and other members of the Commission may be established by resolution of Council.

PART 7 - MANDATE OF THE COMMISSION

- I The Council may refer any matter to the Commission for recommendation including the following:
- (A) the Official Community Plan Bylaw, including amendments thereto;
 - (B) the Zoning Bylaw, including amendments thereto;
 - (C) permits, issued under Division (5) of Part 29 of the Municipal Act;
 - (D) any other matters under Divisions (1), (4), (5) and (7) of Part 29 of the Municipal Act, referred to the Commission by Council;
 - (E) all matters referred to the Commission by the Council shall be in written form;
 - (F) advise and assist Council with regard to the planning of orderly and economical land-use development within the municipality and seek to ensure that any proposed outline plan, scheme or development is in accordance with the purpose, scope or intent of the City Official Community Plan and Zoning Bylaw that is in force;

- (G) if requested by the approving officer, provide comments concerning subdivisions and/or developments within City boundaries or refer to the City by the R.D.E.K. for comment;
- (H) perform on behalf of Council such functions as Council may require.

PART 8 - CONFLICT OF INTEREST

- I Where any member of the Commission or his family or his employer or his business associates has any conflict of interest with any matter being considered by the Commission, that member shall absent himself from all aspects of that consideration.

PART 9 - REPEAL OF BYLAW

- I Bylaw No. 2999, cited as "Advisory Planning Commission Bylaw No. 2999, 1990", is hereby repealed.

Read a first, second and third time this 13th day of September, 1993.

Reconsidered, finally passed and adopted this 4th day of October, 1993.



Mayor



Clerk-Administrator