

## **Planning Advisory Committee Policies and Procedures**

**Whereas** the Council of the Town of Woodstock has adopted By-law 605, being a By-law to Establish a Planning Advisory Committee for the Town of Woodstock;

**AND** Whereas the Community Planning Act, R.S.N.B. CHAPTER 2017, c. 19 (the "Act"), permits the establishment of rules for the conduct of Planning Advisory Committee's (the "Committee") business,

**NOW THEREFORE BE IT RESOLVED** that the Committee adopts the following policies and procedures:

### **1. Membership and Structure**

- (a) The Committee shall consist of a number of members in accordance with By-law No. 605 to Establish a Planning Advisory Committee, and its subsequent amendments.
- (b) The Town of Woodstock Council by resolution
  - i) shall appoint members to serve on the Planning Advisory Committee,
  - ii) may remove any member.
- (c) To be a member of a Planning Advisory Committee, a person shall be,
  - i) eligible to vote under *Local Governance Act*, and
  - ii) a resident of the Town of Woodstock.
- (d) The Planning Advisory Committee may include members of council or employees of the Town, but the majority shall be other than such members and employees.
- (e) A recording Secretary for the Planning Advisory Committee shall be appointed by the Chief Administrative Officer.
- (f) The Development Officer or his/her representative shall serve as the Technical Advisor to the Planning Advisory Committee.
- (g) The term of Office of Planning Advisory Committee Members shall be in accordance with Section 6, subsections 1 through 8 of the Community Planning Act.

### **2. Chair and Vice-Chair**

- (a) The first regular meeting of the year shall be the Annual Meeting. Following the regular business of the committee, the Chair and the Vice Chair shall be elected.

- (b) The Chair shall chair or preside at all meetings of the Advisory Committee and otherwise carry out the duties and responsibilities of the office.
- (c) The Vice-Chair shall act as Chair in the absence of the Chair.
- (d) When neither the Chair nor the Vice-Chair is present at a meeting of the Planning Advisory Committee, a Chair for that meeting shall be chosen by the majority of the members of the Committee present.
- (e) The Chair and Vice-Chair shall be elected, from among its membership by a majority vote of the Committee, at the end of the first meeting of the year. The term for the Chair and Vice-Chair shall be a one-year term.
- (f) The member presiding as Chair at a meeting shall not vote upon any question except in the case of an equal division of the votes when the presiding officer shall have the deciding vote. Results of a vote on an application shall be entered into the minutes without proof of the number or proportion of votes recorded in favour or against the application.
- (g) If the Chair or Vice-Chair refuses or neglects to call a meeting when requested, any four (4) members of the Committee may call such a meeting.

### 3. **Regular Meetings**

- (a) The Regular meetings of the Committee shall be held on the third Monday of each month;
- (b) Unless otherwise specifically designated, all meetings of the Committee shall be held at 6:30 pm. Meetings that are anticipated to be of high public interest may be scheduled at an appropriate alternative time at the discretion of the Development Officer.
- (c) All meetings shall be open to the public for the purpose of hearing presentations, discussions and decisions. All or part of a regular meeting may be closed to the public, when the matter to be discussed at the meeting is in relation to any of the matters contained in Section 68 (1) of the Local Governance Act, SNB 2017, c 18.
- (d) The agenda, application of each applicant, and the Town' planning staff report shall be distributed to the Committee members electronically on or before the Thursday preceding the meeting.
- (e) The agenda and planning report shall be posted on the Town's website once it is sent to the Committee members.
- (f) With the exception of those matters which are administrative in nature,

no matter shall be placed on the agenda of a regular Committee meeting after noon on the Friday preceding the meeting;

- (g) A member of the Committee must be present to vote on any matter of business before the Committee; and
- (h) The Chair or Vice-Chair shall make the decision to cancel a meeting no later than noon. on the Friday before the meeting, in order to give the secretary sufficient time to contact the members and advise them of the cancellation.
- (i) Where a member of the Committee does not attend three consecutive regular meetings of the Committee or four regular meetings in a calendar year, the Committee shall recommend to Council that the member be replaced. For the intention of this clause, both regret and absent shall count towards the maximum number of meetings allowed to miss.
- (j) In the event a member violates subsection 3.i, but has an extenuating circumstance, the Chair, in collaboration with the Director of Development shall allow them to remain an active member of the committee should it be a valid reason.
- (k) In addition to the regular meetings described above:
  - i) If the Chair of the Committee determines that the number of agenda items requires a second meeting in any month, they shall be authorized to call an additional meeting or meetings; and,  
  
In the event that there is no new business to necessitate a monthly meeting the PAC shall meet every third month to review administrative matters.

#### 4. **Electronic Participation**

- (a) A member of the Committee may participate electronically in a meeting that is open to the public when a personal emergency or uncontrollable circumstance precludes in-person attendance.
- (b) A member of the Committee may participate in a meeting via telephonic or electronic means if the Committee members are able to hear and speak to each other. Members participating electronically shall make every effort to keep their camera-on through the entirety of the meeting.
- (c) A member of the Committee participating electronically shall be deemed to be present at the meeting for the purposes of establishing quorum.
- (d) Members are requested to notify the Chair twenty-four (24) hours in advance of any Meeting at which they intend to participate electronically.

- (e) Where the meeting is open to the public, a meeting may be conducted by electronic means if the meeting conducted ensures, at a minimum, that the public is able to see and hear the meeting's participants at a place specified in the notice of the meeting.
- (f) Where all or part of an electronic meeting is closed to the public in relation to any matter contained in Section 68 of the Local Governance Act, electronic access to the meeting shall be restricted or suspended to Committee members. The Chair of the Committee meeting shall require every member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.
- (g) Notwithstanding section 4, 'Electronic Participation' does not exclude the necessity of advance notice of agendas and meetings times and locations for public access and must adhere to meeting notice provisions specified in section 5 of this By-law.

#### **5. Public Notice for Committee Applications**

- (a) Property owners within 100 metres of a property which is the subject of a variance, terms and conditions, ruling of compatibility, non-conforming use, or temporary use approval application shall be notified by hand delivered notice, at least 10 days prior to the meeting, of the time, date, and location of the meeting, as well as the nature of application being considered. If hand delivery is not possible, notifications will be sent by registered mail. The radius of distribution may be expanded if appropriate at the discretion of the Development Officer.
- (b) The notice in subsection (a) above will indicate:
  - i) That views or concerns may be submitted by email or letter to the Committee, and that the Committee must be notified in advance, when possible, if a member of the public desires to address the Committee in person, as per section 6 below.
  - ii) That all correspondence received will be public documents and must be signed.

#### **6. Public Participation**

- (a) Any member of the public may address members of Committee on a matter that is listed on the agenda by notifying the Director of Development, or designate, no later than noon on the Tuesday prior to the meeting (i.e. 4 business days) and submitting any intended presentation materials. While a member of the public may express concerns or issues at the meeting without prior notice, an inability of PAC to answer questions raised without notice will not be considered a sufficient reason to delay a decision on any application being considered.

- (b) Applicants or approved public participants shall be limited to five (5) minutes, to address the Committee, which may be extended following the consent of the Chair.
- (c) A member of Committee may, through the Chair, at any time during debate, request that a question or matter under discussion be clarified or restated.
- (d) No applicant shall speak more than once to any question, except in explanation of a material part of his or her speech which may have been misconceived and in doing so, the person is not to introduce a new matter.

## 7. **Agenda**

- (a) The agenda for all regular meetings of the Committee shall provide for the following:
  - i) Call to Order
  - ii) Recording of Attendance
  - iii) Acceptance or Building of Agenda
  - iv) Disclosure of Conflict-of-Interest
  - v) Approval of Minutes
  - vi) Unfinished business
  - vii) New business
  - viii) Other Business
  - ix) Date of next Meeting
  - x) Adjournment
- (b) The procedure for reviewing an application at a meeting of a Committee shall be as follows:
  - i) Introduction of application by Director of Development.
  - ii) Additional comments from Applicant (optional)
  - iii) Questions to applicant by PAC
  - iv) Approved public correspondence and questions, limit 5 minutes per participant
  - v) Questions to public presenters by PAC (optional)
  - vi) Discussion and debate by committee members.
  - vii) Questions to Development Officer if required.
  - viii) Chair to determine if Committee is ready to vote
    - a. If yes, proceed to vote
    - b. If no, defer vote to next meeting.
- (b) business of the Committee at each meeting shall be taken up in regular order as presented in the agenda, unless otherwise determined by the Chair.

- (c) The building of an agenda shall be permitted provided the majority of the Advisory Committee votes in favor.

**(b) Special Meetings**

- (a) Special meetings may be requested by the Director subject to the Chair's discretion and provided that quorum can be established.
- (b) A special meeting fee of \$125 shall be paid by the applicant at the time of an applicants request for a special meeting. The Committee retains the discretion to waive any or all of the costs of the special meeting.
- (c) The agenda for each special meeting shall be posted on the Town of Woodstock website at least five (5) days prior to the meeting.
- (d) Only items on the agenda of a special meeting shall be discussed at the special meeting.
- (e) The material for a Special Meeting shall be provided to the Committee members electronically at least two (2) days in advance of such meeting.
- (f) Except as otherwise provided herein, the rules of procedure for regular meetings shall also apply to special meetings.

**(c) Conflict of Interest**

Each member must declare if they have a conflict of interest on any item on the agenda. The secretary shall maintain this declaration in the minutes.

**(d) Quorum**

- (a) A majority of committee members shall constitute a quorum for the transaction of business at all meetings; and
- (b) If, within 15 minutes following the scheduled time for commencement of a meeting a quorum is not present for that meeting, the meeting shall stand adjourned to the next Monday or such other day as determined by the Chair when a quorum can be present.

**(e) Minutes**

- (a) The Secretary shall record the minutes of the Committee; shall keep the records and books of the Committee; shall carry out the duties relating to the position as directed by the Committee; and
- (b) The minutes shall be recorded by the Secretary and be provided to the Chair for review no later than two (2) weeks following the adjournment of

the meeting.

- (c) Once review by the Chair, the minutes shall be distributed to the Committee members.
  - (d) Minutes shall be released to the public by posting to the Town of Woodstock website following the adoption by the Committee at the next monthly meeting.
- (f) **Meeting Conduct**
- (a) Members are encouraged to ask questions, engage in discussion and share feedback following presentations. The Chair shall maintain order and decorum during the meeting and decide the order of questions.
  - (b) Members shall indicate to the Chair their desire to speak on any matter that is on the agenda and wait to be acknowledged by the Chair before speaking. Only one (1) Member shall speak at a time. No Member shall interrupt another Member while speaking, unless to raise a Point of Order.
  - (c) All persons at a Committee meeting including public attendees, speakers and Committee Members, shall refrain from:
    - i. speaking disrespectfully of any person;
    - ii. talking on electronic mobile devices or disturbing the proceedings by words, gestures or actions.;
    - iii. speaking on any subject other than the subject for which he received approval to address; or
    - iv. disobeying the rules of order or a decision of the Presiding Chair.
- (g) **Decision and Reconsideration**
- (a) All actions and recommendations by the Committee, except as otherwise provided for, shall be done and made by majority vote of the members present at the meeting.
  - (b) Members may abstain from voting due to a conflict of interest, and this abstention shall not be counted as a negative vote. Any abstention other than due to a conflict of interest shall be counted as a negative vote.
  - (c) All decisions or advice shall be sent to the applicant in writing within five (5) working days of the meeting of the Committee.
  - (d) If an item on the agenda has been duly presented and a motion passed to either approve or deny, or motion to approve has been defeated, the applicant

shall be informed that his/her recourse is through the Provincial Planning Appeal Board if he/she is not satisfied with the Committee's decision;

- (e) Unless the Committee is of the opinion that there is valid new evidence or change in conditions, where an application has been refused by the Committee, no further application may be considered by the Committee for one year of such application, if:
  - i. In the case of a variance(s), the applicant contains the same content as was originally sought
  - ii. In the case of a subdivision, the applicant contains the same design and layout that was originally sought; or
  - iii. It is s a zoning amendment, unless otherwise determined by Council.
- (f) If the Director of Development has made a determination with respect to a request for a variance, a request with respect to the same variance shall not be made to the Advisory Committee.
- (h) **Remuneration**

All Committee members must serve without remuneration; however, they may be reimbursed for reasonable and necessary expenses that arise directly out of the performance of their duties.
- (i) **Special Sub-Committees**
  - (a) A special sub-committee may be named at any time by the Chair upon the adoption of a motion by the Committee specifying the matters to be dealt with by such sub-committee. The motion to establish the sub-committee shall specifically include the membership (not limited to Committee members), the mandate of the sub-committee and the timeframe in which the sub-committee is expected to complete its mandate.
  - (b) A By-law review committee may be struck from time to time as deemed appropriate by Council
  - (c) A subcommittee of the PAC shall act as the Appeals Committee in accordance with the Dangerous and Unsightly Premises bylaw. The Appeals Committee shall be any three members of the Planning Advisory Committee (PAC), but not to include any PAC member who is also a Councillor, selected by the Development Officer of the Town of Woodstock, who shall act as non-voting Chair of the Appeals Committee.
- (j) **Powers and Duties**

The powers and duties of the Planning Advisory Committee are as defined in the Community Planning Act and the Zoning By-Law.



(k) **Rules of Order**

The Advisory Committee shall follow the most current edition of Robert's Rules of Order for rules of procedure as they may apply to the Advisory Committee.