

CITY OF NANAIMO

BYLAW NO. 3811

A BYLAW TO ESTABLISH AN ADVISORY PLANNING COMMISSION

WHEREAS the Council may, by bylaw pursuant to Section 955 of the Municipal Act, establish an Advisory Planning Commission;

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

Title

1. This bylaw may be cited as City of Nanaimo "ADVISORY PLANNING COMMISSION BYLAW 1990 NO. 3811".

2. There is hereby established in the City of Nanaimo a Commission to be known as the "ADVISORY PLANNING COMMISSION" hereinafter called the "Commission."

3. (a) The Commission shall consist of:

- (i) Eight members appointed by Council for a three-year term;
- (ii) Two non-voting members of Council appointed as Council liaison by the Council on the recommendation of the Mayor;
- (iii) Employees of the Municipality or the Approving Officer are not eligible to be a member of the Commission but may attend the meetings as resource persons.

(b) In appointing members, Council will attempt to achieve a cross-section of community opinion, and will consider membership from the following:

- (i) Two members from the business community;
- (ii) One member from the construction development community;
- (iii) five members from the general public.

4. Upon the resignation or death of any member during his term of office, the Council shall appoint his successor who shall hold office during the remainder of the term of the position which is vacant.

5. Council shall have the power, by an affirmative vote of not less than two-thirds of all the members thereof, to remove any member of the Commission from office at any time.

6. A majority of the members of the Commission shall constitute a quorum.

7. At the first meeting of the calendar year, the Commission shall elect from among its members a Chairman and Vice-Chairman.

8. The Chairman, if present, shall preside at all meetings of the Commission. In all cases where votes of the members of the Commission then present, including the votes of the Chairman or other persons presiding, are equal for or against a question, the question shall fail and it shall be the duty of the member presiding to so declare. Any member of the Commission then present who abstains from voting shall be deemed to have voted in the affirmative.

9. The objectives and responsibilities of the Advisory Planning Commission shall be as identified on Schedule "A" to this Bylaw.

10. (a) The Commission shall cause proper records to be kept of its proceedings and, at the direction of Council, have in attendance at the meeting an employee of the City who will keep minutes of the meeting.

(b) Minutes of the Commission's meetings shall be made be available to the public, upon request. Minutes shall be available not more than ten (10) days after a meeting of the Commission.

11. The minutes of the Commission meeting and recommendations contained therein shall be forwarded to the City Administrator for report to Council for consideration.

12. The Commission shall meet as required to conduct its business and make timely recommendations to Council.

13. Any member who misses three (3) consecutive meetings shall be asked by the Chairman to reconfirm their commitment to serve or step down. A further absence of three (3) consecutive meetings shall constitute dismissal from the Commission.


14. The Commission may carry out its work at a meeting in the absence of a majority.


15. Rezoning applicants will be afforded an opportunity to address the Commission at its meeting to explain the merits of the application. In forwarding its recommendation to Council, the Commission will provide the reasons for its decision. For the information of Council, the minutes will reflect the background discussion to the recommendations.

16. The annual budget of the Department of Planning and Development will include funds for the operation of the Commission.

17. The "Advisory Planning Commission Bylaw 1986 No. 2933" and amendments thereto, are hereby repealed.

PASSED FIRST, SECOND AND THIRD READINGS 1990-DEC-17
RECONSIDERED, AMENDED AND PASSED THIRD READING 1991-FEB-04
ADOPTED 1991-FEB-18



MAYOR


CITY CLERK

SCHEDULE "A"

TO BYLAW NO. 3811

OBJECTIVES OF THE ADVISORY PLANNING COMMISSION

The Advisory Planning Commission is charged with meeting the following objectives:

- (a) To reflect and articulate community opinion, in all its diversity, on matters referred by City Council and to make recommendations on such matters.
- (b) To encourage and assist formulation of neighbourhood, sector and community plans as instruments to manage the community's development.
- (c) To bring to Council's attention the need for specific plans to deal with matters of importance to the community's economic and social well-being.
- (d) To act as a catalyst and conduit for citizens to identify objectives and express concern on matters of economic, land use and social significance.
- (e) To assist Council to assess conflicting objectives within the community.
- (f) To monitor land use regulations, to ensure they meet the needs of all groups and sectors within the communities.
- (g) To encourage the development of non-regulatory means to meet community objectives.
- (h) To encourage the integration of land use, economic and social objectives.
- (i) To encourage the maintenance of native vegetation and community enhancement through landscaping.

SCOPE OF WORK OF THE ADVISORY PLANNING COMMISSION

To achieve the above objectives, the Commission is invited to undertake the following:

- (a) Review and make recommendations on all rezoning applications.
- (b) Monitor the effectiveness with which the City's Zoning Bylaw achieves its objectives and recommend amendments to City Council.
- (c) Recommend methods of involving residents in planning studies.
- (d) Recommend methods of educating the community on planning issues.
- (e) Participate with staff and Council on specific task forces or project Committees.

- (f) Recommend to Council strategic studies to identify municipal action respecting matters of community development.
- (g) Monitor the community's housing trends and recommend appropriate municipal action.
- (h) Identify and support specific programs, particularly of a non-regulatory nature to encourage improved community infra-structure.
- (i) Monitor the effectiveness of existing plans and recommend revisions.
- (j) Initiate strategic programs to encourage investment of benefit to the community.