

COLUMBIA SHUSWAP REGIONAL DISTRICT

ADVISORY PLANNING COMMISSION BYLAW NO. 648

THIS CONSOLIDATED BYLAW IS NOT INTENDED TO BE USED FOR LEGAL PURPOSES

CONSOLIDATED FOR CONVENIENCE ONLY WITH:

Bylaw No. 648-1
Bylaw No. 648-2
Bylaw No. 648-3

August 26, 2016

INFORMATION SHEETS ON THE BYLAWS WHICH WERE CONSOLIDATED INTO BYLAW
NO. 648

BYLAW NO. 648-1 – Adopted April 17, 2014

- Added new Section 7.9 Electron participation at meetings
- Amended Part 9.3
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BYLAW NO. 648-1 – Adopted January 15, 2015

- Amended Part 4, Section 4.4 changing the length of an APC Appointment from 3 years to 4 years
- Added new Section 5.6

BYLAW NO. 648-3 – Adopted July 21, 2016

- Amended Part 2 Definition by inserting Alternate Director after the definition of APC
- Amended Part 4 Membership, by deleting and replacing subsections 4.2, 4.3, 4.8, 4.9, 4.10 and 4.11
- Amended Part 5 Chair and Officers by deleting and replacing subsections 5.3, 5.5, and 5.6
- Amended Part 6 Role of the APC by deleting and replacing subsection 6.2. (j)
- Added a new subsection 6.3
- Added a new subsection 7.4 and renumbered all subsections to 7.5 to 7.15

COLUMBIA SHUSWAP REGIONAL DISTRICT
BYLAW NO. 648

A bylaw to establish Advisory Planning Commissions

WHEREAS the Columbia Shuswap Regional District Board may, by bylaw, establish an Advisory Planning Commission for one or more electoral areas or portions of an electoral area;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

Part 1 REPEAL

1.1 Bylaw No. 640, cited as "Advisory Planning Commission Bylaw No. 640", is hereby repealed.

Part 2 DEFINITIONS

"APC" means an Advisory Planning Commission established by this bylaw.

BL648-3 Alternate Director means an individual appointed by the Electoral Area Director or by Board resolution, in accordance with the Local Government Act and whose appointment takes effect once the Director has notified the CSRD Corporate Officer of the appointment, or when the Board resolution is passed. The Alternate Director may take the place of, vote and generally act in all matters for the absent Electoral Area Director.

"Board" means the Board of Directors of the Columbia Shuswap Regional District (CSRD).

"CSRD" means the Columbia Shuswap Regional District.

"Director" means a Director of an electoral area elected or appointed to the Columbia Shuswap Regional District Board.

Part 3 ESTABLISHMENT

3.1 The Board hereby establishes Advisory Planning Commissions (hereinafter referred to as "APCs") in and for Electoral Areas 'A', 'B', 'C', 'D', 'E' and 'F'.

Part 4 MEMBERSHIP

4.1 Each APC will consist of no more than nine (9) and no fewer than five (5) members.

BL648-3 4.2 Calls for expressions of interest for APC membership will be advertised in local newspapers, and on the CSRD website, on or before the date of expiry of the APC 4 year term.

- BL648-3 4.3 APCs should represent a geographically, demographically, and professionally diverse mix of residents with diverse interests.
- 4.4 The Board will appoint APC members for a 4 year-term. APC terms will commence five months after the start of the Board term. APC terms may be extended until suitable successors are appointed.
- 4.5 An Electoral Area Director, Alternate Director, employee, or officer of the CSRD is not eligible to be a member of an APC, but may attend an APC meeting in a resource capacity.
- 4.6 If an APC member fails to attend three (3) consecutive regular meetings of the APC, the Board may revoke the appointment of the member, unless the member has been excused by a resolution of the APC.
- 4.7 At any time, the Board may revoke the appointment of an APC member.
- BL648-3 4.8 In the event of a low number of members on an APC resulting from members resigning, becoming unavailable to perform the role, or being removed from the APC by the Board during the member's term, the Board may appoint one or more individuals to serve the balance of the term. If a suitable individual or individuals do not express an interest in filling the vacant position(s), calls for expressions of interest will be advertised in accordance with subsection 4.2.
- BL648-3 4.9 If requested by the APC Chair, Electoral Area Director or Alternate Director, and with the approval of the Manager or Team Leader of Development Services, CSRD staff will attend APC meetings to present background information and act as a local government resource.
- BL648-3 4.10 Development Services staff will, following the appointment of new APC members for a four year term, prepare the Agenda and notice for the first meeting of the new APCs, and will attend the initial meeting of the APCs.
- BL648-3 4.11 If the position of Chair, Vice Chair or Secretary position becomes vacant through resignation, revoking of the appointment, inability to perform the role or other reason, the APC will elect a temporary Chair or officer to fill the vacant position.

Part 5 CHAIR AND OFFICERS

5.1 At the first APC meeting following the appointment of the APC members by the Board, the APC will select the following officers:

- Chair
- Vice-Chair
- Secretary

5.2 The Chair will preside over APC meetings when present and in his or her absence, the Vice-Chair will preside over the meeting.

- BL648-3 5.3 If the Chair and Vice-Chair are not present at a duly convened meeting, CSRD staff present, or the Electoral Area Director or Alternate Director, will call the meeting to order and the members present will immediately elect a temporary Chair, who must be a member of the APC, to preside over the meeting, or until the Chair or Vice-Chair return. Such office is terminated by the entrance of the Chair or Vice-Chair, the end of the meeting or the election of another temporary Chair.
- 5.4 Under the direction of the Chair, and in consultation with CSRD staff, the Secretary will be responsible for preparing an Agenda.
- BL648-3 5.5 Public notice of the APC meeting and the agenda will be posted by CSRD staff at the Regional District office no less than 72 hours prior to the APC meeting.
- BL648-3 5.6 It is the responsibility of the Chair or Secretary of the APC to notify the applicant, Electoral Area Director and Alternate Director, and CSRD staff of the time, date and place of the meeting.

Part 6 ROLE OF THE APC

- 6.1 The role of the APC is to advise the Board, when requested, on matters respecting land use or community planning.
- 6.2 The following matters may be referred to the APC for review:
- (a) Official Community Plans (drafts and amendments);
 - (b) Zoning Bylaws (drafts and amendments);
 - (c) Development Permit applications for form and character;

 - (d) Development Variance Permit applications;
 - (e) Agricultural Land Reserve applications;
 - (f) Rural Land Use Bylaw amendment applications;
 - (g) Temporary Use Permits;
 - (h) Exemption Permits;
 - (i) Land Use Contract amendments and discharge; and
 - (j) Any other relevant Local Government Act Part 14 matter.
- BL648-3
- BL648-3 6.3 APC members are required to attend training/workshops as deemed necessary by Development Services staff and Electoral Area Directors.

Part 7 PROCEDURES

- 7.1 The APC members are required to:
- (a) Work in an atmosphere of mutual respect;
 - (b) Remain accessible to each other, the Board and CSRD staff;

- (c) Regularly share and disseminate information among all APC members on a timely basis; and
- (d) Consider each application on its own individual merits and circumstances, and on information provided.

7.2 The APC will meet regularly or as required to fulfill the requirements of the APC.

7.3 Meetings will be called by the Chair or as otherwise specified in any procedure adopted by the APC.

BL648-3 7.4 The Chair will establish the dates of the APC meetings in consultation with CSRD staff and the Electoral Area Director or Alternate Director.

7.5 A written agenda will be prepared for each meeting, in consultation with CSRD staff, and circulated to all APC members in advance of the meeting.

7.6 Copies of all necessary documentation relative to each meeting will be circulated to all APC members in advance of the meeting by CSRD staff.

7.7 APCs are encouraged to carry out site visits, as deemed necessary, and shall provide at least 48 hours notice of such visits to subject property owners.

7.8 A quorum for an APC will consist of the majority of the appointed members. If a quorum is not present within thirty minutes after the scheduled start time, the Chair will record the names of the members present and the APC will stand adjourned until the next meeting called by the Chair.

7.9 All matters brought forth to the Board will be decided by a majority of the members of the APC present at the meeting.

7.10 Electronic Participation at meetings:

- (a) A member who is unable to attend a Board meeting may participate in the meeting by means of electronic or other communication facilities provided prior arrangements have been made through communication with the Chairperson and CSRD Staff.
- (b) The number of consecutive meetings that may be attended by any member by means of electronic participation may not exceed two (2).
- (c) The number of members that attend a meeting by means of electronic participation may not exceed three (3).
- (d) The member presiding at the meeting must not participate electronically.
- (e) At least two members of the Commission must be present in the designated meeting location identified in the public notice.
- (f) The facilities must enable the meeting's participants to hear, or watch and hear each other at the specified meeting place.

- (g) A member participating by audio means must indicate his or her vote verbally.
- (h) Nothing in this bylaw shall be construed to guarantee any member electronic access to a meeting. Electronic participation will be restricted by equipment and facility capability. Equipment failure or other occurrence that prevents or limits electronic participation will not result in meeting adjournment unless the failure results in loss of quorum.

7.11 Voting:

- (a) All members of the APC, including the Chair, must vote on every motion unless they have declared a conflict of interest and left the meeting.
- (b) Any member present who does not vote is counted as having voted in the affirmative.
- (c) A tie vote on a motion results in that motion being defeated.

7.12 Where any member of an APC or his or her family, employee or business associate(s) has any conflict of interest with the matter being considered by the APC, that member will declare this state and absent him or herself immediately from all aspects of that consideration. After making this declaration, the APC member must not take part in any discussion of the matter and is not entitled to vote on any question in respect of the matter.

7.13 APC members serve without remuneration but will be paid any necessary expenses that arise directly out of the performance of their duties.

7.14 APC members shall submit eligible expenses to the CSRD on a quarterly basis.

7.15 All recommendations by the APC will be reported to the Board.

Part 8 ORDER OF BUSINESS

8.1 The following will be the regular order of business at a meeting:

- (a) Call to Order
- (b) For each application:
 - I. Staff presentation
 - II. Applicant presentation
 - III. APC discussions
 - IV. APC Recommendations
- (c) New Business
- (d) Adjournment

Part 9 MINUTES OF THE APC

9.1 APC minutes must contain the following:

- (a) Date, time and location of the meeting or special meeting;
- (b) Members of the APC present and absent;
- (c) Other persons present during the meeting;
- (d) Items dealt with by the APC - agenda additions/deletions;
- (e) Delegations who made representations to the APC;
- (f) Brief summary notes of discussions of the items dealt with by the APC;
- (g) Decisions of the APC, which will include:
 - I. Recommendation of approval with reasons;
 - II. Recommendation of approval subject to conditions, and conditions to be stated with reasons;
 - III. Recommendation of refusal with reasons; and
- (h) The Mover and Secunder of a motion.

9.2 The APC Chair and or Secretary must sign the minutes. The meeting minutes must be completed and submitted to CSRD planning staff within ten (10) days from the end of the meeting or special meeting.

9.3 Each APC will ensure the minutes of all meetings are prepared and distributed to the members, Electoral Area Director, and to the Corporate Officer of the Regional District. The minutes of all APC meetings will be retained by the Regional District and made available to the public upon request.

Part 10 PUBLIC ATTENDANCE

10.1 All APC meetings will be held in a public facility and are open to the general public. No meetings or deliberations of the APC are to be held in camera.

10.2 Applicants have the right to attend all APC deliberations including site visits, discussions and decisions. Applicants also have the right to make presentations at APC meetings.

Part 11 TITLE

This bylaw may be cited as "Advisory Planning Commission Bylaw No. 648."

READ a first time this 21st day of June, 2012.

READ a second time this 21st day of June, 2012.

READ a third time this 21st day of June, 2012.

ADOPTED this 21st day of June, 2012.

MANAGER OF CORPORATE
ADMINISTRATION SERVICES (SECRETARY)

CHAIR

CERTIFIED a true copy of Bylaw
No. 648 as adopted.

Manager of Corporate
Administration Services (Secretary)

Manager of Corporate
Administration Services (Secretary)