

CORPORATION OF THE CITY OF NEW WESTMINSTER



ADVISORY PLANNING COMMISSION BYLAW NO. 5791, 1988

EFFECTIVE DATE: October 24, 1988

CONSOLIDATED FOR CONVENIENCE ONLY
(April 15, 2013)

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW

EFFECTIVE DATE

7248
7592

November 24, 2008
April 15, 2013

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principal Bylaw No. 5791, 1988. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Original obtainable from the Legislative Services Department

CORPORATION OF THE CITY OF NEW WESTMINSTER

BYLAW NO. 5791, 1988

A Bylaw to provide for the establishment of an Advisory Planning Commission

WHEREAS pursuant to the provisions of Section 955 of the “Municipal Act”, the Council of the Corporation of the City of New Westminster may establish an Advisory Planning Commission.

AND WHEREAS in the bylaw establishing the Commission there shall be set out:

- (a) the composition of and manner of appointing members to the Commission;
- (b) the procedures governing the conduct of the Commission; and
- (c) the referral of matters to the Commission.

NOW THEREFORE the Council of the Corporation of the City of New Westminster in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Advisory Planning Commission Bylaw No. 5791, 1988”.

2. In this bylaw:

“City” means the Corporation of the City of New Westminster;

“Commission” means the “Advisory Planning Commission of New Westminster”;

“Council” means the City Council of the City.

COMMISSION

3. A Commission is hereby constituted to be known as the “Advisory Planning Commission of New Westminster”.

4. The Commission shall consist of nine members, appointed by Council from the public at large.

5. The appointment of members from the public at large shall be made by resolution of Council.

6. Council shall appoint three persons each year to membership on the Commission. Each appointment shall consist of a term of three years.
7. Notwithstanding Section 6, in the event of the death or resignation of a member of the Commission prior to the expiration of his or her term, the Council shall appoint a new member to serve the unexpired balance of the term of the withdrawing member.
8. A person appointed to the Commission shall serve a maximum of two consecutive terms.

OFFICERS

9. At its first meeting following the Inaugural Meeting of Council, the Commission shall elect, annually, from its own membership by majority vote of those present a chairperson and a vice-chairperson.
10. The chairperson shall preside at all meetings of the Commission when in attendance.
11. The vice-chairperson shall preside at all meetings of the Commission in the absence of the chairperson.
12. There shall be a secretary to the Commission who shall be appointed by the Planning Department of the City and who shall not be a member of the Commission.
13. The secretary shall keep minutes of the meetings of the Commission, which after approval by a majority of the members of the Commission present, shall be forwarded to Council and form part of the permanent records of the City.
14. The secretary shall in December of each year prepare a schedule of the meeting dates of the Commission for the next calendar year. The secretary shall notify all members of the Commission of this schedule no later than one week prior to the first regularly scheduled meeting of the Commission in the next calendar year.

SCOPE

Amended by
Bylaw No. 7248

15. Upon request of the Council or of the Director of Development Services, the Commission shall review and advise Council; in respect of rezoning applications, amendments to the Official Community Plan, proposed community and neighbourhood plans, and in respect of proposed or existing City policies and procedures relating to planning and development.

PROCEDURE

16. All decision of the Commission shall be made by a majority vote of those present at a meeting. Where the votes of the members of the Commission present, including the vote of the chairperson or vice-chairperson are equal for and against a question, the motion shall be defeated, and it shall be the duty of the member presiding to so declare. A member of the Commission present who abstains from voting shall be deemed to have voted in the affirmative.
17. A member of the Commission may participate in a decision for which he was not present at the relevant presentation if he receives the appropriate minutes from the secretary.
18. At any of its meetings, the Commission may hear oral presentations, receive petitions, accept written reports, photographs, perspectives, maps, models, drawings, and any other material to assist in making its recommendations and further, may make enquiries and recommend studies to Council.

MEETINGS

Amended by
Bylaw No. 7248

19. The Commission shall meet regularly to consider business according to the Schedule of meeting dates prepared by the Secretary and each Member must advise the Secretary before each meeting of their intent to attend or to be absent from a meeting. A member who is absent from three consecutive meetings or in excess of one-third of all meeting over a six-month period without leave of the Commission shall cease to be a member.
20. If there is no business to transact, the chairperson of the Commission, or in his absence the vice-chairperson, may cancel the meeting.
21. If there is business which must be considered in a timely manner, the chairperson, or in his absence the vice-chairperson, may call an additional meeting by delivering to the address given for each member of the

Commission a written notice at least 24 hours in advance of the meeting. The notice shall state the time, place, date and purpose of the meeting.

22. The Quorum of the Commission is five members.

AGENDA

23. The agenda of the Commission shall be prepared by the Secretary before each regularly scheduled meeting. The agenda may be amended by a majority vote of the members of the Commission present at any meeting.
24. The Secretary of the Commission shall send to each member of the Commission a copy of the agenda at least 24 hours before each meeting.
25. The Secretary of the Commission shall prepare for the availability of the public an agenda for all meetings of the Commission at which applications for rezonings and development permits and proposed amendments to Community Plans are to be considered. Such agendas shall list the applications and proposed amendments to be considered by the Commission and a copy of the agenda shall be posted at the City Hall.

CONDUCT OF MEETINGS

26. The public may attend that portion of the meeting during which the Commission hears applications for rezonings and development permits and submissions for proposed amendments to community plans.
27. The Commission may use the following procedure in dealing with applications and submissions:
 - 1) A staff member of the Planning Department explains the item with the assistance of maps or illustrations or both.
 - 2) The Secretary of the Commission reads the correspondence that has been received regarding the item in question.
 - 3) The principals involved are requested to come forward and explain their proposals.
 - 4) Members of the Commission question the applicant.
 - 5) Adjoining property owners and delegations present are invited to question the applicant and present their point of view.
 - 6) Members of the Commission question the property owners and delegations.

Amended by
Bylaw No. 7592
The original
27(7) was
deleted and the
remaining
subsections
renumbered
accordingly.

7) The Commission shall consider and decide on its recommendations.

28. The Commission may make recommendations to Council that an application be tabled, be approved, be not approved, or be approved with conditions.

29. *Section 29 was deleted by Amendment Bylaw No. 7248.*

Amended by
Bylaw No. 7248

30. The Commission shall report its recommendations in writing to the City Council.

GENERAL

31. The Commission may establish further rules of procedure not inconsistent with this bylaw for the better performance of its functions.

32. Section headings are included in this bylaw for convenience only. They do not form a part of this bylaw and shall not be used in its interpretation.

33. If any portion of this bylaw is held to be invalid by a court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

34. Advisory Planning Commission Bylaw No. 3514, 1957, is hereby repealed.