



## EXPLANATORY NOTE

### ADVISORY PLANNING COMMISSION ESTABLISHMENT BYLAW No. 3100

The purpose of Bylaw No. 3100 is to replace the former Advisory Planning Commission Establishment Bylaw, No 2212, which was adopted in 1998 with its last amendment in 2001.

The following changes to the bylaw are recommended after a thorough review of the former bylaw:

- Clarification to language with regard to which members have voting privileges;
- Update of relevant legislation references;
- Inclusion of the details of how the Commission reviews developments in Schedule A, attached to the bylaw;
- Make reference to the Community Charter and Robert's Rule of Order to govern the proceedings of the Commission;
- Clarify the procedure to declare a conflict of interest, should one arise;
- Delete from the Membership constitution, one voting member appointed by the B.C. Paraplegic Association and replace it with one voting member appointed by Council as an Accessibility Representative.



## **ADVISORY PLANNING COMMISSION ESTABLISHMENT BYLAW No. 3100**

*A Bylaw to establish an Advisory Planning Commission.*

WHEREAS Section 461 of the Local Government Act, RSBC, 2015 provides that Council may by Bylaw establish an Advisory Planning Commission to advise Council on all matters respecting land use, community planning or proposed bylaws under the Planning and Land Use Management section of the Act;

AND WHEREAS Council deems it desirable to establish such an Advisory Planning Commission;

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

### **1) Title**

This bylaw shall be cited as the “Advisory Planning Commission Establishment Bylaw, 2019, No. 3100”.

### **2) General Provisions**

An Advisory Planning Commission of the City of Langley is hereby established with the Terms of Reference as referenced under “Schedule A”.

The Commission is created to advise the Council on matters respecting land use, community planning or proposed bylaws and permits under Division 4 – 14 of this part and section 546 that are referred to the Commission by the Council and for that purpose the following procedure be adopted:

- (a) Notice of all matters referred by the Council to the Commission shall be given in writing and shall state the date on which the Council intends to take action on the matter.
- (b) At all meetings of the Commission, four (4) members of the Commission shall constitute a quorum.

- (c) The provisions as set out in the City of Langley Council Procedure Bylaw govern the proceedings of the Commission, as applicable. In cases not provided for under the Council Procedure Bylaw, the latest edition of Robert's Rule of Order applies to the proceedings to the extent that those rules are not inconsistent with the provisions of the Council Procedure Bylaw and the Community Charter.
- (d) The Commission shall not have any authority whatsoever to commit funds, enter into contracts or approve rezoning applications or developments.
- (e) The City of Langley shall provide a municipal staff person to act as Recording Secretary to the Commission. The Recording Secretary shall attend all meetings of the Commission in an advisory capacity only and keep minutes of the proceedings including recommendations to Council on various subjects.
- (f) Advisory Planning Commission meeting agendas shall be provided to each Commission Member, Council Liaisons and the Corporate Officer. In addition, any person whose application is being considered will be notified either verbally or in writing.
- (g) The meetings of the Commission shall be open to the public but the Commission may, by resolution, exclude non-Commission members from any particular meeting to consider recommendations in camera in accordance with section 90 of the Community Charter.
- (h) Where any member of the Advisory Planning Commission has a direct or indirect pecuniary interest in the matter, or an interest in the matter that constitutes a conflict of interest, or his/her family, employer or business associates have any interest in any matter being considered by the Commission, the member must declare this and state in general terms the reason why the member considers this to be the case and excuse themselves from all aspects of that consideration.
- (i) Where the Commission is considering an amendment to a plan or Bylaw, or the issue of a permit, the applicant for the amendment or permit must attend at meetings of the Commission and be heard.
- (j) As a matter of procedure, all rezoning applications shall be referred to the Commission and then proceed on to Council with a recommendation.

### **3) Membership**

The membership of the Advisory Planning Commission shall consist of:

- (a) Six (6) voting Members at Large who are appointed to the Commission by Council. All six members shall be appointed annually for a one (1) year term ending on December 31 of each year.
- (b) One voting member who is appointed to the Commission by Council as an Accessibility Representative whose perspective will assist in identifying barriers for people with disabilities.  
The member shall be appointed annually for a one (1) year term ending on December 31 of each year.
- (c) At least two-thirds of the voting members of the Advisory Planning Commission shall be residents of the City of Langley pursuant to the *Local Government Act*.
- (d) The Council shall, when appointing the six (6) Members at Large of the Commission, give consideration to persons with different backgrounds and experience and may include the following:
  - i) Resident of a single-family dwelling
  - ii) Representative of an industrial business
  - iii) Downtown business person
  - iv) Resident of a multi-family complex
  - v) Homemaker.
- (e) One non-voting member appointed to the Commission by the Board of Trustees of School District # 35 (Langley) who shall be a School Trustee elected by the citizens of the City of Langley. The member shall be appointed annual for a one (1) year term ending on December 31 of each year.
- (f) One non-voting member representing the Royal Canadian Mounted Police appointed by the Officer in Charge of the Langley Detachment. The member shall be appointed annual for a one (1) year term ending on December 31 of each year.
- (g) One non-voting Council member to act as a liaison between the Council and the Commission and as a resource person who shall be Chair of the Commission, as well as one non-voting, liaison council member to act as an alternate and Vice Chair in the absence of the Chair of the Commission.

- (h) All citizen appointees to fill vacancies other than those created by the expiration of a term of office shall be for the unexpired portion of the term only.
  - (i) The Director of Development Services and/or the Deputy Director of Development Services, shall attend meetings of the Commission in an advisory capacity.
  - (j) The Recording Secretary of the Commission shall keep an attendance record, and any member, with the exception of those members listed under clauses (e), (f) and (g) of this Section, who misses three consecutive meetings without adequate reason or absence, shall have his/her appointment terminated.
  - (k) The Council shall have the power, by an affirmative vote of not less than two-thirds of all members thereof, to remove any member of the Commission from office at any time.
- 4) The members of the Advisory Planning Commission must serve without remuneration.
  - 5) Meetings of the Commission shall be once per month or called at the pleasure of the Chair or at the request of Council.
  - 6) The "Advisory Planning Commission Establishment Bylaw, 1998, No. 2212" and all the amendments thereto are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME this twenty fifth day of February, 2019.

RESCIND THIRD reading this fourth day of March, 2019.

READ a THIRD time as amended, this fourth day of March, 2019.

FINALLY ADOPTED this – day of --, 2019.

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**MAYOR**

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**CORPORATE OFFICER**

## Schedule A

### Terms of Reference

- (1) Review the overall design appeal.
- (2) Review the character of the development in relationship to its surroundings.
- (3) Examine siting of the building(s) and total site development with attention to:
  - (a) landscaping, including usable recreation and open space areas (if applicable)
  - (b) parking layout and safety
  - (c) driveway entrances, safety of grades and sight lines; and
  - (d) grade elevations.
- (4) Examine building quality with regard to materials and finishes, with attention to:
  - (a) quality and durability of materials
  - (b) safety factors
  - (c) colour and form; and
  - (d) durability of design elements
- (5) Review building quality with regard to livability and human needs noting points such as:
  - (a) building entrances, size, location and treatment
  - (b) size and treatment of corridors and stairs
  - (c) quality of view from habitable rooms
  - (d) privacy; and
  - (e) noise.
- (6) Review proposed signs (i.e. siting, type, location, height, etc.)
- (7) Provide advice/recommendations on any other matter which Council may refer to it from time to time, such items as the following:
  - (a) review of preliminary plans for proposed developments
  - (b) proposed Bylaw amendments; and
  - (c) improvements of administrative procedure relating to the functioning of this Commission.
- (8) Technical review of projects within Development Permit areas of the City of Langley.