

**TOWN OF LAKE COWICHAN**  
**ADVISORY PLANNING COMMISSION**  
**Bylaw No. 898-2011**

**WHEREAS** pursuant to Section 898 of the *Local Government Act*, a bylaw may be enacted to establish an advisory planning commission to advise Council on all matters respecting land use, community planning or proposed bylaws or permits relating to land use matters;

**AND WHEREAS** it is deemed desirable to establish an advisory planning commission to advise council on such matters respecting land use;

**NOW THEREFORE** the Municipal Council of the Town of Lake Cowichan in open meeting assembled enacts as follows:

**1.0 CITATION**

1.1 This Bylaw may be cited as the "Town of Lake Cowichan Advisory Planning Commission Bylaw No. 898-2011".

**2.0 ESTABLISHMENT OF COMMISSION**

2.1 An Advisory Planning Commission is established to advise Council upon all matters regarding land use issues which may be referred to it by the Council.

**3.0 MEMBERSHIP**

3.1 The Advisory Planning Commission shall be comprised of seven members, five of whom shall be appointed by Council and two of whom shall be ex-officio members as hereinafter provided.

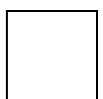
3.2 The following are ex-officio members of the Advisory Planning Commission:

- (a) the Mayor of the Town of Lake Cowichan, or one Councillor appointed by the Mayor;
- (b) the Chief Administrative Officer of the Town of Lake Cowichan or his/her designate.

3.3 The composition of the membership other than the ex-officio members shall be as follows:

- (a) No less than three (3) members shall be residents of the Town of Lake Cowichan;
- (b) Two (2) or less may be either non-resident property owners or residents of Electoral Area "F" or "I" of the Cowichan Valley Regional District (CVRD).

3.4 The members, other than ex-officio members, appointed by Council shall hold office at the pleasure of Council for a two-year term, commencing January 1<sup>st</sup> in the year they are appointed and terminating two years later on December 31<sup>st</sup>.



3.5 Notwithstanding Section 3.4, all members shall continue to hold office until their successors are appointed. In the event of a vacancy occurring in the membership of the Advisory Planning Commission, the Council shall appoint a person to fill such vacancy for the unexpired term of office of the member being replaced.

3.6 Advisory Planning Commission members can be removed by a 2/3 vote of Council.

#### **4.0 VOTING**

4.1 All matters before any meeting of the Advisory Planning Commission shall be decided by a majority of the members present.

4.2 Ex-officio members of the Advisory Planning Commission are not entitled to vote on any matter and shall act in an advisory capacity only.

#### **5.0 ELECTION OF CHAIRPERSON**

5.1 The appointed members of the Advisory Planning Commission shall, at the first regular meeting held after January 1<sup>st</sup> in each year, elect a Chairperson from among their number who shall preside at all meeting for the balance of the year.

5.2 If the chairperson fails to attend any meeting of the Advisory Planning Commission, the appointed members present shall elect one of their number to be Acting Chairperson and the member so elected shall preside at the meeting.

5.3 If the Chairperson ceases to be a member of the Advisory Planning Commission, the appointed members present at the next meeting shall elect one of their number to be Chairperson who shall preside at all meetings for the balance of the year.

5.4 Chairmanship is limited to a maximum of four years, unless an extension is recommended by the appointed members.

#### **6.0 QUORUM**

6.1 Three appointed members of the Advisory Planning Commission is a quorum.

#### **7.0 MEETINGS AND ATTENDANCE**

7.1 Meetings shall be conducted according to Canadian Parliamentary Procedure in accordance with Roberts Rules of Order.

7.2 Meetings of the Advisory Planning Commission shall be held monthly, on a regular day. Meetings may be cancelled due to insufficient agenda items, at the call of the Chairperson.

7.3 Notwithstanding Section 7.2, special meetings may beheld at the call of the Chairperson, provided at least 24 hours notice of such meeting is given to all members.



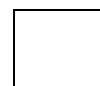
- 7.4 If the Chairperson refuses or neglects to call a special meeting, at the request of not less than two members, within 48 hours of the receipt of such request, then such members may call a special meeting giving at least 24 hours notice of such meeting to all members.
- 7.5 Save with respect to matters expressly dealt with or provided for in this bylaw, the rules governing proceedings of the Advisory Planning Commission shall be those governing the proceedings of Council under the Procedure Bylaw, insofar as the said rules may be applicable.
- 7.6 The Chairperson may appoint such committees from within the members of the Advisory Planning Commission as may be deemed necessary for the efficient operation of the Advisory Planning Commission.
- 7.7 The Chairperson shall preside at all meetings of the Advisory Planning Commission, and shall preserve order and decide all points of order which may arise, subject to an appeal to the other members present. All such appeals will be decided without debated.
- 7.8 All appointed members of the Advisory Planning Commission may vote on all questions. In the event of an equality of votes, the question shall be decided in the negative. Any member of the Advisory Planning Commission who abstains from voting shall be deemed to have voted in the affirmative.
- 7.9 All questions put before a meeting of the Advisory Planning Commission shall be decided by a majority vote.
- 7.10 No act or proceeding of the Advisory Planning Commission is valid unless it is authorized by resolution at a regular or special meeting.
- 7.11 Any appointed member of the Advisory Planning Commission who is absent from three consecutive regular meetings, without leave or valid reason satisfactory to the Advisory Planning Commission, shall be deemed to have resigned.
- 7.12 If the Advisory Planning commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for amendment, or permit is entitled to attend meetings of the Advisory Planning Commission and be heard.

## **8.0 MINUTES**

- 8.1 The Chairperson shall cause minutes of the meetings to be kept and such minutes shall be made available to all members of the Advisory Planning Commission and Council.

## **9.0 ANNUAL BUDGET**

- 9.1 All items of revenue and expenditure relating to the activities of the Advisory Planning Commission shall be included in the annual budget.
- 9.2 No expenditure shall be made by the Advisory Planning Commission that is not provided for in the annual budget of the Town of Lake Cowichan or the annual budget as amended.



- 9.3 All monies received by the Advisory Planning Commission shall be paid into the hands of the Treasurer of the Town of Lake Cowichan for deposit to the credit of the Town in a general fund bank account.
- 9.4 Accounts for authorized expenditures of the Advisory Planning Commission shall be paid by the Treasurer of the Town of Lake Cowichan in the same manner as other accounts.

**10.0 REPEAL**

That upon adoption of the bylaw, Bylaw Nos. 682-1999 being the "Advisory Planning Commission Bylaw" and 898-2011 being the "Town of Lake Cowichan Advisory Planning Commission Bylaw" thereto are hereby repealed.

READ A FIRST TIME on the 25<sup>th</sup> day of January, 2011.

READ A SECOND TIME on the 25<sup>th</sup> day of January, 2011.

READ A THIRD TIME on the 25<sup>th</sup> day of January, 2011.

RECONSIDERED, FINALLY PASSED and ADOPTED by the Municipal Council of the Town of Lake Cowichan on the 1<sup>st</sup> day of February, 2011.

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Ross Forrest  
Mayor

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Joseph A. Fernandez  
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of "Town of Lake Cowichan Advisory Planning Commission Bylaw No. 898-2011" as adopted on the 1<sup>st</sup> day of February, 2011

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Corporate Officer

