

**BOWEN ISLAND MUNICIPALITY  
BYLAW NO. 85, 2003**

**A BYLAW TO PROVIDE FOR THE ESTABLISHMENT AND  
REGULATION OF AN ADVISORY PLANNING COMMISSION**

WHEREAS the Bowen Island Municipality deems it expedient to appoint an Advisory Planning Commission;

WHEREAS Section 898 of the *Local Government Act* allows Council to establish an advisory planning commission to advise Council on all matters respecting land use, community planning or proposed bylaws and permits as outlined in the *Local Government Act* that are referred to it by Council.

NOW THEREFORE the Bowen Island Municipal Council, in open meeting assembled hereby enacts as follows:

1. This Bylaw may be cited for all purposes as the "Bowen Island Municipality Advisory Planning Commission Bylaw No. 85, 2003."
2. "Bowen Island Trust Committee Advisory Planning Commission Bylaw No. 131, 1994" is hereby repealed.
3. There is hereby established a Commission comprised of seven persons which shall be named the "Bowen Island Municipality Advisory Planning Commission".
4. Composition of Commission and Terms of Service:
  - a) The Commission shall consist of seven (7) members, which must be either full time residents or property owners of Bowen Island.
  - b) Commission members shall be appointed by Council, upon recommendation of the Municipal Planner, in the January following Municipal Elections.
  - c) The members of an Advisory Planning Commission must serve without remuneration, but may be paid reasonable and necessary expenses that arise directly out of the performance of their duties.
  - d) Commission members must serve for a term of three (3) years after which they may be reappointed for one additional term.

- e) A Council member, regional district director, employee or officer of the local government, or an approving officer, is not eligible to be a member of an advisory planning commission, but may attend at a meeting of the Commission in a resource capacity.
  - f) The Municipality shall, in its annual budget, provide for the necessary funds to pay for the operating costs of the Commission.
  - g) The Council may by majority vote, remove any member of the Commission from their appointment at any time.
5. Holding of Meetings:
- a) The Commission shall, at its first meeting in each year, elect from amongst its members a chairperson and a vice-chairperson to hold office for that year or until a successor is chosen.
  - b) Meetings will be held in accordance with Bowen Island Municipality's Procedure Bylaw.
6. Mandate:
- a) The Commission shall have no authority to act on any matter. It shall be the duty of the Commission to advise Council on matters referred to them by Bowen Island Municipal Council.
  - b) The Commission acts only in an advisory capacity to Council, and the final decisions in all matters brought before the Commission rests with the Council. Council is not obliged to wait for these recommendations before making decisions on issues before them.
  - c) The role of the Commission and the expected conduct of the Commission shall be clearly articulated in the Terms of Reference of the Commission, outlined in Section 7 of this Bylaw.
7. Terms of Reference of the Advisory Planning Commission
- 7.1 Role of the Advisory Planning Commission
- a) The role of the Advisory Planning Commission is to advise Council on any matter referred to the Commission respecting land use, community planning or proposed bylaws and permits under Divisions 2,7, 9, and 11 of Part 26 of the *Local Government Act* that has been referred to them by Council. The Commission shall examine the proposed matter and make a recommendation to Council for their consideration.

- b) The Commission may review and make recommendations to Council, from time to time, of any aspect of the “Official Community Plan” and the “Land Use Bylaw” of the Bowen Island Municipality.

## 7.2 Other Matters Referred to the Commission

- a) Council may refer any other land use matters, community plans, studies or policies which may require public and/or Commission review prior to consideration and adoption by Council.
- b) The Commission shall review these other matters and make a recommendation to Council. All recommendations shall be forwarded to the Municipal Planner or the Public Works Superintendent, who will direct the recommendation to Council.

## 7.3 Advisory Planning Commission Meeting

- a) A majority of members of the Commission, that is four, shall constitute a quorum. If a quorum is not present within thirty minutes after the time fixed for a meeting, the Chair shall record the names of the members present and the Commission shall stand adjourned until the next regular meeting.
- b) If the Commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit can attend meetings of the Commission present their application and answer questions.

## 7.4 Agenda

- a) One week prior to each meeting of the Commission, the Municipal Planner or her/his delegate shall prepare an agenda of all business to be brought before the Commission at such meeting.
- b) To enable staff to prepare the required information, all documents and reports intended to be submitted to the Commission must be gathered no later than one week prior to the meeting day of the Commission.
- c) Commission meetings are open to the public and a copy of minutes may be obtained at the Municipal Hall.

7.5 Expected Conduct of Commission Members

- a) Commission Members should refer inquiries regarding development proposals to the Municipal Planner.
- b) Advisory Planning Commission members are given an opportunity to influence zoning and land use decisions through the process provided for by the *Local Government Act*. Accordingly, Commission members should be cautious when speaking at public hearings in their capacity as members of the public.

READ A FIRST TIME this 28th day of April 2003.

READ A SECOND TIME AS AMENDED this 22<sup>nd</sup> day of March, 2004.

READ A THIRD TIME AS AMENDED this 22<sup>nd</sup> day of March, 2004.

RECONSIDERED AND FINALLY ADOPTED this 13<sup>th</sup> day of April, 2004.

(Original signed) \_\_\_\_\_  
Lisa Barrett  
Mayor

(Original signed) \_\_\_\_\_  
Isabell Hadford  
Clerk

Certified to be a true and correct copy of  
"Bowen Island Municipality Advisory  
Planning Commission Bylaw No. 85, 2003"  
adopted by the Council Bowen Island  
Municipality this 13<sup>th</sup> day of April, 2004.

(Original signed) \_\_\_\_\_  
Isabell Hadford  
Clerk