

**Region of Queens Municipality
Planning Advisory Committee
Monday April 7, 2025, 6:00 p.m.**

Agenda

- 1.0 Call to Order**

- 2.0 Welcome and Introductions**

- 3.0 Approval of Agenda**

- 4.0 Planning Advisory Committee**
 - 4.1 - Policy**
 - 4.2 - Code of Conduct**
 - 4.3 - Roles and Responsibilities**

- 5.0 Committee Membership**

- 6.0 Meeting Time and Dates**

- 7.0 Other**

- 8.0 Adjournment**

POLICY NUMBER – 60

Policy Subject / Title – Planning Advisory Committee

GENERAL STATEMENT OF POLICY:

60.01 It shall be the policy of the Council of the Region of Queens Municipality that a Planning Advisory Committee (PAC) be established to advise Council regarding the preparation and amendment of planning documents and planning matters in general, as set out in Section 200 of the *Municipal Government Act*.

POLICY INFORMATION:

Membership:

60.02 There shall be three (3) members of Council appointed to the Planning Advisory Committee.

60.03 The public appointed members shall consist of one (1) representative from each of the electoral districts in the Region of Queens Municipality.

60.04 One half of the members of the Planning Advisory Committee shall be appointed for an initial one (1) year term, with the remaining members being appointed for a two (2) year term. All subsequent appointments shall be for a two (2) year term.

Meetings:

60.05 All meetings of the Planning Advisory Committee shall be:

- (a) Posted in the Municipal Administration Building; and
- (b) When a PAC meeting has been called prior to a Council meeting, the date, the time and any specific topics under discussion shall be announced during the regular meeting of Council, for the information of the public.

60.06 Meeting shall be held on a monthly basis or as PAC deems necessary to carry out its assigned duties.

60.07 PAC shall meet at the direction of Council, the call of the Chair, or the request of any six (6) PAC members.

60.08 The Chair shall be appointed by the Nominating Committee of Council.

60.09 A staff member of the Region of Queens Municipality shall take and transcribe minutes of the meetings. Minutes shall include not only decisions made, but where possible, shall also include background discussion and rationale for each recommendation.

POLICY NUMBER – 60
Policy Subject / Title – Planning Advisory Committee

Page 2 of 2

Function:

60.10 PAC shall:

- a) Submit formal recommendations to Council on any proposed amendment to the Municipal Planning Strategy and Land Use Bylaw for the Region of Queens Municipality.
- b) Review and make recommendations on all proposed development agreements; and
- c) Review and make recommendations on planning matters in general.

Approved by Council:

February 18, 2013

GENERAL PURPOSE OF POLICY

- 74.01 Members of Council and Public Committee Members are expected to be reasonably well informed about all aspects of municipal governance and are to carry out their duties in a fair, transparent, impartial and professional manner. The purpose of this policy is to ensure that Members of Council and Public Committee Members understand their responsibilities, and to further ensure that their conduct in carrying out those responsibilities is beyond reproach.

POLICY APPLICATION

- 74.02 This policy extends to sitting Members of Council, including the Mayor, as well as non-elected community representatives that are appointed to standing and ad hoc committees of Region of Queens Municipality.
- 74.03 This Policy requires each member of Council and Public Committee Member to take responsibility for their respective actions.

POLICY DETAILS

- 74.04 Members of Council and Public Committee Members shall at all times put the public's interest ahead of their own interests.
- 74.05 Members of Council and Public Committee Members must conduct themselves in such a manner so as to ensure that they are at all times in compliance with the Municipal Conflict of Interest Act.
- 74.06 Members of Council and Public Committee Members shall not disclose to anyone information or discussion that takes place in-camera.
- 74.07 Members of Council are from time to time appointed to various committees and as such are expected to attend on a regular basis. When unable to attend, Members of Council shall extend regrets to the appropriate Chairperson prior to the meeting.
- 74.08 Members of Council and Public Committee Members shall, whenever carrying out their duties and responsibilities, conduct themselves in a courteous, respectful and forthright manner observing a high standard of professionalism.
- 74.09 Members of Council and Public Committee Members shall not grant any special consideration or advantage to any person, group or organization unless pursuant to the dictates and directives of existing statutory or judicial authority.

Policy Subject / Title – CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND PUBLIC COMMITTEE MEMBERS

- 74.10 Members of Council and Public Committee Members acknowledge that the expenditure of public funds is a privilege granted to them and each member undertakes to the best of their ability to ensure that these funds are expended in the best interests of the people of Queens County.
- 74.11 Use of municipal vehicles, equipment or property shall not be requested by Members of Council or Public Committee Members for personal use unless such use is made available to all members of the public.
- 74.12 Members of Council and Public Committee Members shall use appropriate parliamentary language in debate and shall respect the right of dissent; including refraining from making, publicly or privately, disparaging or inappropriate remarks about other members or their opinions. At no time shall comments or procedures be used deliberately to embarrass a Member of Council, a Public Committee Member or a staff person.
- 74.13 Members of Council and Public Committee Members, whether on Council or Committee, shall respect the decision of the majority, and those Members in such circumstances shall respect the rights of the minority.
- 74.14 Members of Council and Public Committee Members shall refrain from the following activities:
- (a) the use of "insider" information for personal gain;
 - (b) the use of confidential information for any improper purpose;
 - (c) knowingly breaking the law or requesting others to do so;
 - (d) disclosing personal information, including financial data, about any resident or taxpayer in Queens that is not generally available to the public;
 - (e) disclosing the identity of any person(s) filing a complaint with Region of Queens Municipality unless authorized by the complainant(s);
 - (f) disclosing the contents of any property appraisal contracted by the Region, other than the appraised value of the property or properties being valued;
 - (g) publicly discussing any preliminary reports, memorandums, letters or recommendations that have not been dealt with by Council or the appropriate committee;
 - (h) publicly discussing any information that has been provided confidentially or is required by law to be held in confidence;
 - (i) providing false or misleading information in order to influence a policy or direction of Council, or withholding pertinent information in this regard;
 - (j) proposing or giving direction to staff, except through the Chief Administrative Officer;
 - (k) treating staff with incivility;

REPORTING PROCEDURE

- 74.15 If a Member of Council or Public Committee Member feels that any part of this Code of Conduct has been breached, he/she shall report such breach in writing to the Chief Administrative Officer stating the details of the alleged breach.
- 74.16 If the complaint filed does not relate to the conduct of the Mayor, then the Mayor and the Chief Administrative Officer shall review the complaint and conduct such investigation as deemed necessary, which investigation may include seeking legal advice. The identity of the complainant shall remain confidential unless the complainant waives this requirement.
- 74.17 In the case of a complaint against the Mayor, the Chief Administrative Officer shall then call upon the Deputy Mayor to assist in the handling of the matter.
- 74.18 If it is determined upon the completion of the required investigation that a breach of this Code of Conduct Policy has not taken place, the complainant shall be so advised with an explanation in writing and the file will be deemed confidential and closed.
- 74.19 If it is determined upon the completion of the required investigation that a breach of the Code of Conduct Policy has taken place, the investigative findings shall be presented to Council at an in-camera session. If Council concurs that a breach of this policy has occurred, Council shall then consider the following options in an open Council meeting:
- (a) request the offending party to remove himself/herself from further involvement in the specific activity under review;
 - (b) take disciplinary action in the form of a public statement outlining the breach and Council's position;
 - (c) take disciplinary action in the form of removing the offending party from the relevant committee;
 - (d) take such other action as Council deems appropriate bearing in mind the severity of the breach.
- 74.20 No action shall be taken against any complainant provided the complaint has been made in good faith.
- 74.21 Records relating to all complaints accepted by Council as valid complaints shall be open to public inspection having due regard to Freedom of Information and Protection of Privacy laws.

RECEIPT OF POLICY

74.22 All Members of Council and Public Committee Members, upon being sworn into office or receiving letters acknowledging their appointment, shall receive a copy of this policy and by virtue of being sworn or appointed to a committee, acknowledge that they have read, understand and agree to abide by its contents.

Approved by Council: June 16, 2008



Planning Advisory Committee (PAC) ROLES AND RESPONSIBILITIES

Region of Queens Municipality has adopted a policy respecting the formation of a Planning Advisory Committee (PAC) - Operational Policy Number 60 - pursuant to Section 200 of the *Municipal Government Act*. Policy 60 establishes that PAC shall:

1. Submit formal recommendations to Council on any proposed amendment to the Municipal Planning Strategy (MPS) and Land Use Bylaws (LUB) for the Region of Queens Municipality;
2. Review and make recommendations on all proposed development agreements; and
3. Review and make recommendations on planning matters in general.

Planning Advisory Committee's principle focus is to act in an advisory capacity to Council on planning related matters. More specifically, the following is an outline of the roles and responsibilities of the PAC members and Municipal Staff, as well as some of the issues that are outside the scope of the PAC.

Roles and Responsibilities of PAC

1. From time to time it will be necessary to amend the *Land Use Bylaw* either by amending the text or amending the Zoning Map. In addition to all other criteria set out in various polices of this *MPS*, Planning Advisory Committee should have regard to a number of other matters when evaluating a proposed amendment. Considerations include:
 - that the proposal conforms with the intentions of this *MPS* and to the requirements of all other Municipal Bylaws and regulations.
 - that the proposal is not inappropriate, or could create potential problems in relation to:
 - the financial capability of the Region to absorb any costs relating to the development;
 - adequacy of sewer, water, and fire protection services to support the proposed development;
 - adequacy and proximity of recreational and other community facilities;

- the adequacy of road networks in, adjacent to, or leading to the proposed development in terms of ability to handle traffic that the proposed development will generate;
 - the potential for the contamination of watercourses or the creation of erosion, sedimentation and /or flooding; and
 - the potential for damage to or destruction of designated historical buildings and sites.
- that adequate requirements are contained in the *Land Use Bylaw* to reduce conflict between the proposed development and any adjacent or nearby land uses by reason of:
 - type of use;
 - height generation, access to and egress from the site and parking provisions;
 - traffic generation, access to and egress from the site and parking provisions;
 - outdoor storage;
 - signs;
 - provision is made for buffering, landscaping, screening and access control to reduce potential incompatibility with adjacent land uses and traffic;
 - development is located so as to not obstruct any natural drainage channels or watercourses;
 - the adequacy of the building separations to provide sufficient space to permit access for fire fighting equipment and to prevent the spread of fire; and
 - site suitability in terms of percentage of slope, soil and geological conditions and other environmental and physical constraints; and
 - potential for buffer areas, landscaping and screening to reduce potential incompatibility with adjacent land uses and transportation networks.
2. When evaluating development agreement applications, Planning Advisory Committee must be cognizant of the overall goals and policies of this MPS. In particular, it should have regard to the criteria listed in Policy 12.6.1, which include:
- the proximity of the proposed development to recreational and other community facilities;

- the impact of the proposed development on:
 - existing residential and institutional uses in the area with particular regard to the use and size of the structures that are proposed, buffering and landscaping, hours of operation for the proposed use (where applicable), noise and other similar features of the use and structure in order to minimize any potential land use conflicts with adjacent uses;
 - adequacy of municipal services with particular regard to demands on the sewer system, water system, fire protection, refuse collection, police protection, existing schools and churches;
 - pedestrian and vehicular traffic circulation with particular regard to the traffic that the development will generate, the adequacy of the proposed accesses to and from the site, traffic flows in and around the site in terms of its ability to handle any new traffic, and the adequacy of the proposed parking areas; and
 - structures on abutting lots in terms of proposed exterior siding and in terms of architectural characteristics taking into consideration such things as height, roof line and lot coverage to minimize any potential land use conflicts between the proposed development and structures on abutting properties.
- submission of a site plan showing the location of the uses and the structure or structures on the lot, building layout, parking areas, accesses to and from the site, signage provisions, buffering or landscaping provisions and lighting provisions;
- adequacy of the proposed lot to ensure that adequate screening and landscaping can be undertaken to minimize the potential for any land use conflicts with adjacent uses.

PAC shall also review draft development agreements for potential inclusion of some or all of the following terms, where applicable:

- the specific use or uses of the land;
- the size of the structures if new ones are proposed or the size of any proposed expansions to existing structure or structures;
- provisions for adequate buffering to screen the development from adjacent conflicting land uses;
- any matter that may be addressed in a *Land Use Bylaw* (i.e. parking requirements and yard requirements);
- time limits for the initiation of construction;
- noise levels;
- the hours of operation and the maintenance requirements of the proposed use or uses; and

- all other matters enabled in Section 227 of the *Municipal Government Act*.
3. PAC shall also be responsible to review and make recommendation on any planning related matter, as referred to Committee by Council.

Roles and Responsibilities of Municipal Staff

The role of Municipal Staff in regard to Planning Advisory Committee is to provide background information, direction and support respecting planning amendment and development agreement applications, and to facilitate meeting discussion to enable the Committee to make appropriate recommendations to Council in a timely and efficient manner.

More particularly, Staff:

- Review applications to ensure information is complete.
- Ensure necessary application fee is submitted.
- Prepare Staff report, draft bylaws and development agreements for Planning Advisory Committee consideration.
- Review application, discussion paper, and draft documents with PAC.
- Review application and PAC recommendation with Council.

(Assuming recommended application)

- Prepare Notice of Public Hearing.
- Advertise Public Hearing notice. (At least two weeks prior to public hearing)
- Review application at Public Hearing.
- Forward copies of the amendment or development agreement to province.
- Advertise notice of passing.

Outside the Scope of both the Planning Advisory Committee and Staff

When evaluating requests for planning amendments or development agreements, Planning Advisory Committee must be cognizant of the scope of municipal authority; and hence scope of PAC; as enabled under provincial legislation, being the Municipal Government Act.

While the Act gives Municipalities fairly broad authority to govern within their respective jurisdictions, there are also many areas where a municipality does not have legal authority to regulate.

Below are some examples of things that are beyond the scope of Planning Advisory Committee to take into consideration during an application evaluation process and therefore should not be asked or discussed:

- Does the applicant have the financial resources to complete the requested changes?
- Is the applicant aware of their legal responsibilities for their requested use or potential use of the property?
- Is the proposed use a financially viable or sustainable plan?
- If a business, does the person have the required employees or business knowledge to own or operate the current or future business?
- What are the applicants' long-term plans for the property?
- Who are all of the proponents involved with the submitted application or who are all of the owners or investors in the business?
- Matters of provincial and / or federal interest -
 - Non land-based operations (i.e. aquaculture) and
 - Resource extraction (i.e. forestry and mining)

