



— CITY OF —
PORT ALBERNI

ORIENTATION PACKAGE

ADVISORY PLANNING COMMISSION

JANUARY 2021



Planning the City of PORT ALBERNI

INTRODUCTION

This document has been prepared to provide information to assist the City of Port Alberni's Advisory Planning Commission (APC). This information should be used in conjunction with the Advisory Planning Commission Bylaw, and as a companion document to City and Provincial land use legislation. The overarching goal of an APC member is to engage in dialogue and debate about the community and its issues, while advising Council on specific planning matters that will help shape the future of the city.

PLANNING OVERVIEW

Planning is the scientific, aesthetic, and orderly disposition of land, resources, facilities and services. Planning aims to secure the physical, economic and social well-being of urban and rural communities primarily by regulating development and land use.

City Planners play a critical role in addressing municipal issues. Not only do planners deal with land use, but they also influence:

- social and community services
- local economic capacity
- transportation and infrastructure

Planning decisions effect the day to day lives of individuals and families. Development may result in positive or negative impacts to a community. For example, if development contributes to the degradation of air or water quality, the health and quality of life of a community may be impacted.

PLANNING OVERVIEW CONTINUED

A City Planner's work is guided by Council approved policy. Well defined and thoughtful planning objectives and policies provide the public, business owners, and other stakeholders a high degree of certainty for the future. The Local Government Act has established legislation that provides for Official Community Plans (OCP) and zoning bylaws to be established to guide and regulate development.

The **Official Community Plan** is a legal document containing objectives and policies to guide decisions on planning and land use management. It establishes land use, environmental, social and economic policy directions to support the community's objectives. A **Zoning Bylaw** is used to implement the policies of an OCP by establishing and regulating specific uses of land. Where a zoning bylaw is in effect, its regulations apply to all lands, including the surface of water and to all uses, buildings and structures. Together, the OCP and Zoning Bylaw help coordinate land uses and prevent incompatible uses.

The OCP also outlines **Development Permit Areas** (DPA), which are specific areas that require for a Development Permit to be obtained in advance of a Building Permit being issued. While zoning bylaws deal primarily with issues of uses and siting, development permits can address more specifically a wider range of issues, such as form and character, landscaping, environmental protection and greenhouse gas emission reduction.

The OCP, Development Permit Areas, and Zoning Bylaw are developed in consultation with the community to ensure that these guiding policies reflect the public interest. These policies should be reviewed and updated by staff and Council every 5 to 10 years.

The APC plays an important role in the planning and land use management process by making recommendations to City Council, and by ensuring that land use changes are suitable for the community. In reviewing development applications, the commission has the responsibility of giving advice and acting as the citizens' voice in the process.

While the level of formal planning skills, and/or training of members of the Commission will vary, it is their individual skills and experiences relating to the community that make the Commission an effective conduit for public participation in the City's planning programs. The information and analysis that the APC generates are a special combination of subjective and objective observations that only community members could bring to the discussion.

APC OVERVIEW

Consistent with the Local Government Act and the Community Charter, the Advisory Planning Commission receives its authorities, responsibilities and instructions from City Council. By way of Bylaw No. 4738 the Commission is empowered to advise Council on all matters respecting land use, community planning or proposed bylaws and permits.

The majority of items presented to the APC involve applications to amend bylaws such as the Official Community Plan Bylaw or Zoning Bylaw, or Development Variance Permits.

FUNCTIONS

The core functions of the APC include:

- Respond to issues referred to them by Council and staff
- Listen to and report on the community's views and consider what is good for the public,
- Gather relevant facts, information and opinions
- Educate and raise awareness of Council and staff on specific issues
- Offer long term insight relating to the evolution of the community
- Provide advice and recommendations to Council and staff

The APC and its members have an important responsibility to the community. The matters for consideration have direct influence on the liveability of the community. The level of understanding and analysis is important as it will inform recommendations being made on these items. The quality of APC's advice improves when there has been reflection upon the goals of the community and established public policy, discipline in the processes of deliberation, and selection of a course of action that can be effectively and efficiently implemented.



The Commission's POWERS

The APC has no decision-making responsibility, and does not have any authority beyond what has been delegated by Council. The APC only provides recommendations to Council, it does not establish policy.

MEMBERSHIP

The APC provides a central and ongoing opportunity for citizens to become actively involved in their community and provide in-depth consideration of planning issues. While APC candidates self-nominate themselves for consideration by Council, as part of their consideration Council endeavours to include citizens that are broadly reflective of the different parts of the community. This helps ensure that the APC is as broadly representative of the community as possible. Specific appointments may reflect experience, knowledge and expertise to provide the APC with necessary skills. No one set of skills should be considered more valuable than another.

COMPOSITION

There are 9 Voting Members on the Advisory Planning Commission:

- Six members at large appointed by City Council
- One representative of the School Board of School District No. 70.
- One representative of the Tseshaht First Nation
- One representative of the Hupacasath First Nation.

There are also 3 Non-Voting Liaisons that make up the APC:

- City Council Liaison
- RCMP Liaison
- Port Alberni Fire Department Liaison
- Parks Operations Liaison.

ROLES AND RESPONSIBILITIES

Chair and Vice-Chair

Each year a Chair, and a Vice-Chair to act in the absence of the Chair, are chosen and appointed by the APC. In addition to being a member of the APC, the Chair is tasked with conducting meetings in a fair and effective manner. As the Chair of a public group, ethical standards must be followed so that discrimination and harassment do not occur.

Additionally, an effective Chair typically would:

- Have interest in the City and understand planning and land use management processes
- Exhibit leadership and develop collaborations in an open and fair manner
- Ensures that discussions at meetings focus on the issue at hand and the facts
- Seek out members who do not actively participate in meetings and encourage their participation
- Facilitate meetings in such a way that balances the input of all members



Working
TOGETHER

Secretary

The secretary role is not elected, and is typically filled by a City staff person. The Secretary is responsible for recording the minutes at each commission meeting. Minutes of APC meetings are public and posted on the City's website after they have been approved by the APC at the subsequent meeting.

Planning Staff

Planning staff bring forward summary reports to the APC discussing development applications or other land use policy issues. These reports provide an assessment and a recommendation. Planning recommendations are made after reviewing the intention of the proposal in relation to the existing zoning, the strategic direction for the community provided in the OCP, benefits to the community, impacts to the environment, best planning practices, and other issues that may affect the public interest.

MEETINGS

The APC typically meets once a month for an hour. The meetings are scheduled for the 3rd Thursday of every month at 12:00 pm and are held in the City Hall Committee Room. An agenda will be emailed to each member approximately one week before the scheduled meeting, and are also made available on the City's website. If requested a printed copy of the agenda will be provided at the meeting.

A typical meeting includes: a call to order; a count of members present; approval of previous minutes; discussion of reports on the agenda including having a delegation present; recommended motions; updates on current projects, and adjournment. Meetings are run using 'Robert's Rules of Order' to facilitate discussion, as it allows everyone to be heard and to make decisions fairly without confusion.

MEETINGS CONTINUED

Public Attendance

APC meetings are open to the public and meeting agendas are posted on the website and on the Bulletin Board in the Lobby at City Hall. Any member of the public is allowed to attend. The Chair may or may not allow audience members to speak. The APC meeting not to be confused with a public hearing meeting, which is when members of public can provide comment directly to City Council regarding rezoning or OCP amendments.

Staff Attendance

Planning staff generally attend the APC meeting. If it is felt that an agenda item is complex and requires other staff to provide further information and clarification, they will be in attendance. The Chair of an APC may request staff attend a meeting once they see the agenda, if they feel it is useful for the APC.

Voting and Quorum

In order for APC to meet and make recommendations there must be a quorum of the voting members. 5 voting members are needed for quorum to be achieved. If there is not a quorum within 15 minutes after the fixed time of the meeting, that meeting shall be adjourned. It is important to attend meetings regularly or else quorum may be lost, resulting in projects being delayed.

All voting members of the APC must vote on all recommendations unless they have declared a conflict of interest and left the room. Any member who abstains from voting will be deemed to have voted in the affirmative and a tie on a vote shall be considered defeated.

MAKING RECOMMENDATIONS

The APC is tasked with considering planning and land use matters and making recommendations to City Council on those matters. The commission is most effective when the recommendations made are clear and can be easily acted upon by Council.

Options and a suggested recommendation is provided by the Planner in their report, however these recommendations may be changed by the APC during a meeting. Options and recommendations provided by staff are often structured in the following way:

- 1.Recommend to approve an application;
- 2.Recommend to approve an application subject to various conditions, with stated reasons;
- 3.Recommend to not approve an application, with stated reasons.

The APC only makes recommendations on planning and land use matters referred to them. Other issues raised at meetings may be referred to Council for their consideration and action. Staff work is directed by both Council priorities and ongoing current projects and applications.

TYPES OF PRESSURE AND INFLUENCE

Deciding on a recommendation can be a complex matter. APC members may face pressures to influence their decision. Such pressures may include the following:

Peer Pressure:

Members frequently have social, professional or business contacts with people who have interest in applications pending before the commission. Such contacts may be the source of relevant information, but they should not be permitted to influence a member's decision-making before deliberations begin.

Developer Pressure:

Developers often represent a particular view point. All statements made by developers must be carefully evaluated. The community does not have to accept development deemed to be inappropriate. The commission needs to review each proposal on its own merits.

Political Pressure:

The APC should seek to have an effective and ongoing dialogue with Council, as this helps create a more cooperative and effective relationship through which the interests of the community can be incorporated into planning decisions. However, members of Council should not seek to influence members of the commission. The APC is intended to be an independent body and commission members should cast their votes in their own judgement to promote good planning. APC and Council members should not meet to discuss applications outside of formally scheduled meetings.

REMAINING OBJECTIVE

Members should endeavor to carry out their work effectively, efficiently and creatively, while maintaining a separation from influences that could disrupt thoroughness, balance and objectivity in recommendations. It is expected that all members will conduct themselves appropriately and adhere to procedural rules.



Expected code of
CONDUCT

Members should be aware that the public deserves and expects their actions to be conducted with fairness, objectivity and the avoidance of conflicts of interest.

CONFLICT OF INTEREST

A conflict of interest exists if an APC member is an interested party to an application to which the APC will make a recommendation and/or the APC member has a direct or indirect pecuniary interest in the outcome of Commission's deliberations.

Conflicts often occur between the member's public duty and his or her personal, business or property interests. The courts treat personal, business or property interests of a spouse, child, parent, partner, client (or in some cases, a corporation) of the member the same way they treat the interests of the member. If the member is in any way involved in a matter before council that actually advances (or appears to advance) any of these interests, a conflict of interest may arise.

Common examples of conflict of interest include:

- **Business Interests:** A member has a conflict of interest if he or she votes on a matter that helps his or her own business, or hinders the competition.
- **Property Interests:** If a member votes on a land use bylaw that makes his or her own property sub-dividable, or more or less valuable in any way, a conflict arises.
- **Family Interests:** If a member votes on a matter that is to be the benefit or disadvantage of a spouse, child or parent, as in increasing salary or increasing or decreasing property values, a conflict arises.

Where a conflict of interest exists, the APC member must follow certain procedures:

1. Must declare to the APC that a conflict exists;
2. Must not participate in the discussion of the matter or to vote on a question in respect of the matter; and
3. Must absent themselves from the meeting during consideration of the issue to which the conflict relates, and not attempt to influence the vote (this is to be reflected in the meeting minutes).



Community Charter
SECTIONS

Procedures for conduct where a conflict of interest exists are prescribed in the Community Charter Sections 100 to 101.

CONCLUSION

The Advisory Planning Commission plays an important role in advising Council and helping develop the growth and betterment of the city. The APC brings valuable perspective in examining how the community as a whole is evolving in order to guide land use matters for the benefit of the community. While APC members are sought for the personal skills they bring to the Commission, they are expected to represent the collective desires of the community in their recommendations. APC members should feel empowered by Council to bring forward matters they believe require consideration.

OTHER INFORMATION

The following information should be reviewed by new Advisory Planning Commission members become familiar with the planning tools and processes followed as they relate to the APC.

- **APC Bylaw No. 4738:**
<https://www.portalberni.ca/advisory-planning-commission-bylaw>
- **More about Port Alberni's OCP:**
<https://www.portalberni.ca/media/1723>
- **More about Port Alberni's Zoning Bylaw:**
<https://www.portalberni.ca/media/1724>
- **More about Development Variances in Port Alberni:**
<https://www.portalberni.ca/application-development-variance-permit>
- **More about Development Permit Areas in Port Alberni:**
<https://www.portalberni.ca/media/1726>

PLANNING DEPARTMENT CONTACTS

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ADVISORY PLANNING COMMISSION

2021 MEETING SCHEDULE

COMMITTEE ROOM OF CITY HALL*
4850 ARGYLE STREET, PORT ALBERNI BC

DATE

TIME

Thursday, January 21	12:00 PM
Thursday, February 18	12:00 PM
Thursday, March 18	12:00 PM
Thursday, April 15	12:00 PM
Thursday, May 20	12:00 PM
Thursday, June 17	12:00 PM
Thursday, July 15	12:00 PM
Thursday, August 19	12:00 PM
Thursday, September 16	12:00 PM
Thursday, October 21	12:00 PM
Thursday, November 18	12:00 PM
Thursday, December 16	12:00 PM

THESE MEETINGS ARE OPEN TO THE PUBLIC

*Due to COVID19, all APC meetings are currently conducted over Zoom.

