

CITY OF YORKTON BYLAW NO. 7/2011

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City of Yorkton
Saskatchewan

Bylaw No. 5/2011

**A Bylaw of the City of Yorkton in the Province of Saskatchewan providing for the
appointment of a Planning and Infrastructure Commission**

Section 95 of *The Planning and Development Act, 2007* provides for the establishment of a Planning and Infrastructure Commission to advise and assist City Council with respect to all matters pertaining to community planning and development within the municipality.

The Council of the City of Yorkton in Council assembled enacts as follows:

1.0 Purpose of the Commission

- 1.1 The Commission will investigate and study land use related activities, demographic trends, municipal infrastructure related to the planning and development of the community including related capital projects, and/or any other matter inside or outside the municipality, that, in the opinion of the Commission, is related to the physical, social or economic circumstances of the municipality and affects or may affect development of the municipality.
- 1.2 The Commission may appoint advisory Committees or establish Sub-Committees consisting of members who are qualified to assist the Commission in carrying out its duties and functions.

~~1.3 By this bylaw Council will establish and maintain a Municipal Heritage Advisory Sub-committee consisting of a minimum of 3 members, and a maximum of 6 members, appointed by Council to; promote, identify and maintain Municipal Heritage Sites as provided for in *The Heritage Property Act* and accompanying regulations, to provide for the evaluation of properties of architectural or historical value or interest; to update and maintain the Yorkton History Book, "*York Colony to Treasure Chest City*"; to maintain any records or artifacts having a historical significance in the community archives.~~

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- 1.4 Review any Development Plan, Redevelopment Plan, Special Area Study, Basic Planning Statements, Zoning Bylaw or other Bylaw adopted under *The Planning and Development Act, 2007* and recommend suitable amendments to Council.
- 1.5 Recommend the implementation of any feature of any Development Plan, Basic Planning Statement or Bylaw under *The Planning and Development Act, 2007* to Council.
- 1.6 Investigate and study proposed subdivision development within and adjacent to the municipality and submit reports and recommendations in that respect to Council.
- 1.7 The Commission shall perform any other duties of a planning nature that the Council may refer to it and may do any other things that it considers necessary in connection with the planning and orderly development of the City.

- 1.8 Identify the social and economic implications of its recommendations.
- 1.9 Hold public meetings and publish information for the purpose of obtaining the participation and cooperation of the residents of the municipality and any adjacent area in determining the solution to problems or matters affecting the development of any part of the municipality.

2.0. Definition – Committee Member Eligibility

- 2.1 In order to be appointed to a Commission of Council, individuals must qualify as electors meeting the following requirements:
 - 2.1..1 Canadian citizen;
 - 2.1..2 full age of eighteen (18) years;
 - 2.1..3 resides in the municipality, or on land now in the municipality, for at least three (3) months; or
 - 2.1..4 is the owner of assessable land situated in the municipality, or of land now situated in the municipality, for at least three (3) months; and
 - 2.1..5 has resided in Saskatchewan for at least six (6) months.
- 2.2 Individuals who do not meet all of the eligibility requirements in 2.1 may be appointed to the Commission subject to Council passing a resolution exempting them from the requirement.

3.0 Planning and Infrastructure Commission

- 3.1 That a Planning and Infrastructure Commission of the City of Yorkton be established consisting of not more than ~~9~~ **11 members** and not less than 7 members who shall be appointed from time to time by resolution of Council and specified as follows:

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- 2 members of Council
 - 1 member of ~~the Yorkton Public School Division~~ **Good Spirit School Division No. 204**
 - 1 member of ~~the Yorkton Roman Catholic Separate School Division~~ **Christ the Teacher Roman Catholic Separate School Division No. 212**
 - ~~6~~ **7 members** from the Community at Large
 - City Council may appoint a municipal employee to this Commission provided that:
 - The employee has special relevant expertise to contribute; and/or
 - The appointment is necessary by virtue of the employee's office, and
 - There will be no detrimental effect on the employee's normal responsibilities.
- 3.2 If the school divisions do not submit a member for appointment by December 31st of each year, Council can appoint a member for each vacancy from the City at large.
 - 3.3 Representatives from any group may be invited to attend Commission meetings as guests when deemed appropriate by the Commission.
 - 3.4 The members of the Commission will be appointed at a Regular Meeting of the Council of the City of Yorkton in accordance with the City of Yorkton's Procedure Bylaw as amended from time to time.

- 3.5 As part of the condition of accepting an appointment, the appointee will agree to abide by the mandate, objectives and terms of reference of the Commission.
- 3.6 Commission members will be responsible for advising the Recording Secretary of the Commission if they are unable to attend a meeting.
- 3.7 Commission members will be responsible for adhering to the Code of Ethics Policy and will sign the acknowledgement form annually.
- 3.8 All members will hold office for one calendar year, unless they are reappointed or until their successors are appointed. Prior to December 1st each member will advise the Chairperson if they wish to be considered for reappointment. Prior to December 15th of each year, the Chairperson will provide notice to the Mayor of the Commission members wishing to be reappointed and propose any new members that are interested in serving on the Commission. Members at large cannot serve on this Commission for longer than 6 consecutive years unless authorized by resolution of Council.
- 3.9 No member will serve as a Chairperson for more than 3 years.
- 3.10 Any member of the Commission may resign at any time upon sending a written notice to the Chairperson of the Commission who shall advise the Mayor.
- 3.11 If a member of the Commission appointed by City Council, is no longer a Council Member or no longer meets the eligibility requirement, his or her term of office as a member of the Commission will end.
- 3.12 Any member of the Commission who is absent from 3 consecutive, regular scheduled meetings of the Commission shall, unless authorized by resolution of the Commission, forfeit his/her membership and the Chairperson of the Commission shall advise the Mayor of the vacancy. Council may, by resolution and at their discretion, revoke the membership of any individual appointed to this Commission.
- 3.13 Any vacancies that occur on the Commission, during the appointed term, may be filled by resolution of Council.
- 3.14 The Commission members shall meet as soon as possible after they have been appointed to elect a Chairperson and Vice-Chairperson from the members at large.
- 3.15 The meetings of the Commission will be open to the public and held on the date that is twelve (12) days in advance of a regularly scheduled City of Yorkton Council Meeting at 7:00 a.m. in Committee Room "A" at City Hall. Any changes to the regular meeting schedule shall require a resolution of the Commission and written notice shall be posted for at least 24 hours prior to the meeting at City Hall and on the City's web site.
- 3.16 It is the duty of the Chairperson to summons a special meeting of the Commission whenever requested in writing to do so by a majority of the Commission members. Twenty-four (24) hours written notice of a special meeting shall be provided to each

member and the public shall be provided twenty-four (24) hours notice by posting same at City Hall and on the City's web site.

- 3.17 A majority of the members of the Commission will constitute a quorum.
- 3.18 When the Commission is meeting and the quorum is lost, the meeting will stand adjourned. Once adjourned the meeting can continue for discussion purposes only and meeting notes will be recorded.
- 3.19 The Commission will adhere to the general rules and rules of procedure as established by the Council of the City of Yorkton in carrying out its functions.
- 3.20 The Commission will record its discussions and decisions in writing and submit all minutes to Council.
- 3.21 The City Manager or his designate and/or the Council Members appointed to the Commission will provide background information on any issue as may be requested by Council.
- 3.22 The Director of Planning and Engineering will be the City of Yorkton's Administrative representative to the Commission to assist and provide direction for all matters relating to planning and responsible for implementing policy and the directives as approved by Council.
- 3.23 Where a Member of the Commission has an interest in the matter before the Commission, he/she will declare his/her interest, remove themselves from the meeting, be excluded from all discussions and will not be entitled to vote thereon.
- 3.24 Every person appointed to the Municipal Planning Commission will before entering the duties of this office, furnish the City Clerk with a Public disclosure statement as outlined in Section 116 of *The Cities Act*.
- 3.25 Every member will notify the City Clerk within 30 days of any changes to their public disclosure statement.
- 3.26 The City Clerk's Office will be responsible for the minutes of all meetings and shall designate a Recording Secretary. The Recording Secretary and Chairperson presiding at the meeting shall sign the minutes of each meeting and the original minutes shall be provided to the City Clerk once they are approved by the Commission.

4. Role of Administration

- 4.1 Administration reports to and takes their direction from Council.
- 4.2 The Commission will provide their recommendations on certain initiatives or issues as provided for under the Purpose of the Commission.
- 4.3 These recommendations will be brought forward to Council through a Council report format prepared by the Administrative representative to the Commission. The report will

clearly state the intent of the Commission with respect to the issue, but the recommendation to Council will come from Administration.

4.4 Council has the final decision making power to accept or reject any recommendation.

5. Repealing Bylaws

Bylaw No. 45/2008 providing for the Appointment of a Municipal Planning Commission passed on the 12th day of January, A.D., 2009 and all amendments thereto are hereby repealed.

6. Effective Date

This Bylaw will come into force and take effect on the date of final passing thereof.

MAYOR

CITY CLERK

Introduced and read a first time this 28th day of February, A.D., 2011.

Read a second time this 28th day of February, A.D., 2011.

Read a third time and adopted this 28th day of February, A.D., 2011.