



**BY-LAW CONSTITUTING THE PLANNING ADVISORY  
COMMITTEE N° 439**

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PROVINCE OF QUEBEC  
VILLAGE OF SENNEVILLE

BY-LAW N° 439

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BY-LAW CONSTITUTING THE  
PLANNING ADVISORY COMMITTEE

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NOTICE OF MOTION:           MAY 27, 2013  
ADOPTION:                    JULY 2, 2013  
COMING INTO FORCE:         AUGUST 21, 2013

By-law modifications	
By-law number	Coming into force
439-1	MAY 6, 2015

**THE MUNICIPAL COUNCIL DECREES THE FOLLOWING:**

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**BY-LAW CONSTITUTING THE PLANNING ADVISORY  
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**CHAPTER 1:**

**Declaratory, Administrative and Interpretative Provisions**

## **Division 1.1: Declaratory Provisions**

### **1.1.1 Title of the By-Law**

This by-law bears the title « *By-Law Constituting the Planning Advisory Committee* » and carries the number 439.

### **1.1.2 Repeal**

The present by-law repeals By-Law 421, entitled « *By-Law Constituting the Planning Advisory Committee for the Village of Senneville and Establishing its Rules of Governance and Replacing By-Law 389 on the same topic* », as modified by all of its amendments as well as any incompatible provision in another by-law.

### **1.1.3 Scope of the by-law**

The present by-law's purpose is to constitute a Planning Advisory Committee for the Village of Senneville. It establishes the responsibilities, composition and rules of operation of the Planning Advisory Committee.

### **1.1.4 Part-by-part adoption**

The Municipal Council of Village of Senneville hereby declares that it is adopting the present by-law, chapter by chapter, division by division, section by section and article by article, paragraph by paragraph, sub-paragraph by sub-paragraph, so that if a part of the present by-law were to be declared null and void by a tribunal, such a decision would have no effect on the other parts of the by-law, except in cases where the significance and scope of the by-law or of one of its provisions should be altered or modified as a result.

## **Division 1.2: Interpretative Provisions**

### **1.2.1 Interpretation of provisions**

Unless the context specifies otherwise, it is understood that:

1. The use of the words « MUST » and « SHALL » implies an absolute obligation;
2. The use of the verb « CAN » implies a non-obligatory option, except in the expression « CANNOT » which means « MUST NOT »;
3. The word « WHOMEVER » includes individuals and corporations.

The table of contents and the chapter titles, the divisions and the sections of the present by-law are provided to improve the text's readability. In the case of contradiction between the text and the concerned title(s) or the table of contents, the text prevails.

The dimensions, areas and other measures stated in the by-law are expressed in units of the International System.

### **1.2.2 Numbering**

The numbering method used in this by-law is the following (when the section's text does not contain numbering related to a paragraph or sub-paragraph, it is referred to as an indented line):

- 1. Chapter
- 1.1 Division
- 1.1.1 Section
- Indented
  - 1. Paragraph
  - a) Sub-paragraph

### **1.2.3 Name of the Committee**

The Planning Advisory Committee is designated by the term « Committee » in the present by-law.

### **1.2.4 Terminology**

Unless there is an explicit indication of the contrary or unless the context indicates otherwise, the expressions, terms and words have the meaning and application attributed to them in the *Permits and Certificates By-Law*.





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**CHAPTER 2:**

**Responsibilities, Composition and Functioning of the Committee**

## **Division 2.1: Review and Recommendations**

### **2.1.1 General provisions**

The Committee has powers of review and recommendation on matters of urban planning, zoning, subdivision and building. Specifically, the Committee's functions are:

1. To review and submit recommendations to the Municipal Council on any application presented to the Committee in accordance with Chapter IV of the *Land Use Planning and Development Act*, RSQ, c A-19.1;
2. To review and submit recommendations upon request of the Municipal Council, on all draft urban planning by-laws, including modifications to these by-laws;
3. To review and submit recommendations upon request of the Municipal Council, on the Master Plan, including modifications to the Master Plan;
4. To review and submit recommendations on any matter presented, upon request of the Municipal Council or by the Committee's own initiative.

The Committee also bears the powers and duties stated in the *Cultural Heritage Act*, RSQ, c P-9.002.

### **2.1.2 Review sub-committees**

The Committee can create review sub-committees composed of its members or some of its members or, consistently with Municipal Council's authorization, of any other professional resource that can be of assistance to these sub-committees.

The review sub-committees may review any matter by their own initiative or matters that are submitted to them, other than the applications that are submitted to them in accordance with Chapter IV of the *Land Use Planning and Development Act*, RSQ, c A-19.1. The review sub-committees must provide the results of their research and review to the Committee in the form of reports.

### **2.1.3 Recommendations**

The Committee's recommendations are submitted to the Municipal Council in the form of minutes.

### **2.1.4 Minutes and written reports**

Minutes of the Committee's meetings must be drafted and filed in the Village's archives.

The Municipal Council can request that the Committee provide a written report on any matter covered in sections 2.1.1 and 2.1.2 of the present by-law.

## **Division 2.2: Assistance to the Committee**

### **2.2.1 Municipal employees**

The designated official attends all Committee meetings. The designated official or any other municipal employee shall have the right to speak at Committee meetings, but is not a Committee member and is not entitled to vote.

### **2.2.2 Secretary of the Committee**

The designated official acts as secretary of the Committee. The secretary's responsibilities are to:

1. Establish the schedule of meetings;
2. Prepare meeting agendas;
3. Summon Committee members to meetings;
4. Provide Committee members with the plans and documents required for the review of files and applications;
5. Draft Committee reports and minutes;
6. Appose signatures, when required, on Committee reports and minutes;
7. Transfer the Committee's recommendations to Municipal Council;
8. Transfer all other correspondence to the Committee members.

A Committee member may draft reports and minutes upon Municipal Council's request.

### **2.2.3 Professional resources**

The Committee may appoint upon Municipal Council's prior authorization and when it deems necessary, any professional resource to assist and advise on the review of an application. These professional resources have the right to speak, but are not Committee members and are not entitled to vote.

## **Division 2.3: Composition of the Committee**

### **2.3.1 Number of members**

The Committee consists of 7 members, named by resolution of Municipal Council, including:

1. Two (2) members of Municipal Council;
2. Five (5) residents of the territory of the Village of Senneville.

Council may designate two (2) substitute members, one being the Mayor and the other an elected officer. They may sit at the committee meeting in the absence of a regular member. At any committee meeting, the resident members must form a majority.

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Modified by Bylaw no. 439-1 in force on May 6, 2015.

### **2.3.2 Selection of resident members**

The selection of resident members making up the Committee is carried out by public notice transmitted to the residents by newsletter (at all known addresses) and published on the municipal internet site and billboards. The choice of members is made at the discretion of Municipal Council and they are named by resolution.

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Modified by Bylaw no. 439-1 in force on May 6, 2015.

### **2.3.3 Term of member mandates**

The term of mandates of Committee members is set at 2 years from the date of the resolution of the Municipal Council. The mandate of members can be renewed by resolution of Municipal Council for a maximum period of 2 years.

### **2.3.4 Replacement of a member**

The Municipal Council may replace a Committee member in the case of passing, resignation, incapacity or inability to carry out functions or in the case of three (3) consecutive absences without a valid reason and without informing the Committee's secretary in advance. When a member is no longer a resident, he/she can no longer be a Committee member.

The Municipal Council may at any time revoke the mandate of a Committee member.

In such case, the Municipal Council must name, by resolution, another person for the duration of the vacancy's mandate.

When a Committee member is named as a municipal councillor, he/she ceases to be a member of the said committee when his/her mandate ends or when he/she is declared incapable of being a member of the Municipal Council.

### **2.3.5 Member remuneration**

Committee members do not receive any remuneration. They may however receive an attendance allowance set by Municipal Council.

The present section does not apply to Committee members who are also members of the Municipal Council.

## **Division 2.4: Functioning of the Committee**

### **2.4.1 Quorum**

Quorum of the Committee is set at 5 members. At all times, quorum must be composed of a majority of resident members.

If quorum is not attained within 30 minutes of the beginning of the meeting, the meeting is to be declared as being cancelled. Upon confirmation of default of quorum, the Committee's secretary must summon another meeting.

Should the departure of a member during the meeting result in the loss of quorum or should a member have declared his/her interest for an application, the remaining members must adjourn the meeting. The Committee's secretary must summon the members at a later date so that the works may resume.

### **2.4.2 Declaration of interest**

A member must refrain from participating in any activity that is incompatible with his/her functions, avoid conflicts of interest and prevent any situation that is likely to cast doubt on his/her objectivity or impartiality.

A member must declare all conflicts of interest in an application submitted to the Committee. During review of the application, the member having an interest shall withdraw from the meeting and cannot participate in the Committee's discussions and recommendations on the matter of this application. The declaration of interest and the member's withdrawal must be recorded in the meeting minutes by the meeting secretary.

A member is presumed to have interest and must withdraw in any of the following cases (not a limitative list):

1. He/she has received a mandate from the applicant relating to the submitted application or project;
2. He/she has a personal, pecuniary or professional interest in the application being accepted or refused, or in the project being approved or rejected;
3. The applicant, upon application, has retained the member's professional services relating to other projects;
4. He/she or his/her spouse is a direct or indirect family member;
5. He/she is an applicant or member or employee of an organization or company submitting an application.

#### **2.4.3 Committee chairperson**

The members designate a meeting chairperson amongst themselves, by a majority of Committee members. The chairperson is named for two (2) years or said role expires at the end of his/her mandate as a member. The chairperson's mandate may be renewed.

#### **2.4.4 Committee vice-president**

Members designate a meeting vice-president amongst themselves, by a majority of Committee members. The vice-president's is named for (2) years or said role expires at the end of his/her mandate as a member. The vice-president's mandate may be renewed.

In the absence of the chairperson during a Committee meeting, the vice-president assumes the Committee chair during this meeting.

#### **2.4.5 Member voting**

Committee recommendations are adopted by the majority of members present. In the case of a tied vote on a recommendation, this recommendation will be deemed to be negative.

Each member present is entitled to vote and must exercise this vote for each of the applications submitted, except in the case of conflicts of interest. Only the chairperson may abstain from voting. The chairperson does not have a preponderant vote in the case of a tied vote.

#### **2.4.6 Confidentiality of applications**

Committee members and persons assisting the Committee's work shall maintain confidentiality of information, documents and discussions taking place during the meeting.

Committee members and persons assisting the Committee's work shall maintain confidentiality of information and documents transferred for review.

Committee members and persons assisting the Committee's work shall not use data, information or knowledge made available to them, for their own benefit or that of a third party.

#### **2.4.7 Presence of applicants**

The Committee may ask that the applicant be present at the meeting. However the applicant is not obliged to attend the Committee meeting.

When the applicant is present at the meeting, he/she must withdraw before the beginning of the Committee's deliberations and its recommendation on the application.

#### **2.4.8 Summon for meetings**

Committee meetings are summoned when required. A notice of summon must be sent to members at least 2 days before the holding of a meeting or the continuation of works in the case of an adjourned meeting.

#### **2.4.9 Holding of meetings**

The general rules relating to the holding of meetings are the following:

1. Meetings are presided by the Committee chairperson or in his/her absence, by the vice-president;
2. In the absence of the chairperson or vice-president, the Committee meeting may be held, but only following a unanimous vote by the members present. In this case, the members attending, designate a substitute meeting chairperson by unanimous vote. Otherwise, the secretary must summon another meeting at a later date;
3. Committee meetings are held behind closed doors;
4. Committee members may request that municipal employees and professional resources withdraw themselves from the meeting so that the discussion may continue in private;
5. In addition to the applications included in the agenda, an application may be added to the agenda with the approval of a majority of the members present;
6. Following discussions, the Committee issues a favourable or unfavourable recommendation for the application. This recommendation may include the Committee's comments. In the case of an unfavourable recommendation, the latter must be justified;
7. Committee members may adjourn a meeting and defer the recommendation for an application to a subsequent meeting;
8. The meeting minutes must be adopted at a subsequent meeting by the members present at the meeting in question. Once adopted, the chairperson and the secretary will sign the minutes.

#### **2.4.10 Committee expenses**

The Municipal Council may make available to the Committee, the necessary funds for the carrying out of its responsibilities.

#### **2.4.11 Rules for internal governance**

The Committee may establish rules of internal governance as required for its functioning, in conformity with the present by-law and with the *Land Use Planning and Development Act*, RSQ, c A-19.1.





**BY-LAW CONSTITUTING THE PLANNING ADVISORY COMMITTEE NO 439**  
**VILLAGE OF SENNEVILLE**

**Chapter 3 :**  
**Final Provisions**

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**BY-LAW CONSTITUTING THE PLANNING ADVISORY**  
**COMMITTEE N° 439**

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**CHAPTER 3:**

**Final Provisions**

**Chapter 3 :**  
**Final Provisions**

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**Division 3.1      Final Provisions**

**3.1.1      Coming into force**

The present by-law comes into force in compliance with the law.

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**George McLeish, Mayor**

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**Joanne Bouclin, Clerk**