

# PROPOSED

IP2024-1262  
ATTACHMENT 2

## BYLAW NUMBER 6P2025

### BEING A BYLAW OF THE CITY OF CALGARY TO ESTABLISH A MUNICIPAL PLANNING COMMISSION (IP2024-1262)

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**WHEREAS** Section 625 of the Municipal Government Act authorizes Council to establish by bylaw a municipal planning commission;

**AND WHEREAS** Sub-Section 8(1)(c) of the Municipal Government Act R.S.A. 2000 cM-26, as amended, authorizes a Council to establish fees for licences, permits and approvals including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue;

**AND WHEREAS** if Council establishes a municipal planning commission, the bylaw establishing it must provide for the procedure, conduct, functions and duties of the commission and its members;

### **NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as the "Calgary Planning Commission Bylaw".

### **DEFINITIONS**

2. (1) In this Bylaw,
  - (a) "*Applicant*" means a person or entity to which a fee applies in accordance with the fees approved pursuant to this Bylaw;
  - (b) "*City*" means the corporation of The City of Calgary or the area contained within the boundaries of the City of Calgary as the context requires;
  - (c) "*Calgary Planning Commission*" or "*Commission*" means the municipal planning commission for the City as established by this Bylaw;
  - (d) "*Chief Administrative Officer*" means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;
  - (e) "*Council*" means the municipal council of the City;
  - (f) "*Development Authority*" means a person or body appointed as a development authority as contemplated by and in accordance with the *Municipal Government Act*;

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- (g) “*Employee Member*” means an individual who has been appointed to the Commission by Council who is an employee of the City and a representative of City administration;
  - (h) “*Organizational Meeting*” means the meeting of *Council* held under section 192 of the *Municipal Government Act*, RSA 2000, c. M-26;
  - (i) “*Outline Plan*” means a conceptual scheme that relates a subdivision application to future subdivision and development of areas adjacent to a subdivision application to be submitted to a subdivision authority;
  - (j) “*Tentative Plan*” means a plan of subdivision proposed in accordance with sections 652 to 660 inclusive of the *Municipal Government Act*;
  - (k) “*Public Member*” means an individual who has been appointed to the Commission by Council who is not a member of Council or an Employee Member; and
  - (l) “*Subdivision Authority*” means a body to exercise subdivision powers and duties on behalf of the municipality and which may include a designated officer, the Calgary Planning Commission or any other person or organization.
- (2) If this Bylaw refers to any statute, regulation or bylaw, the reference is to the statute, regulation or bylaw as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any statute, regulation or bylaw that may be substituted in its place.

### ESTABLISHMENT AND TERM

3. The *Commission* is hereby established. The *Commission* shall exist until such time as this Bylaw is repealed by *Council*.

### MANDATE

4. (1) *Calgary Planning Commission* is a technical review committee that engages experts in making decisions about how our city grows.
- (2) The *Commission* shall have the following duties and functions:
- (a) review and approval of *outline plans* that have been referred to it;
  - (b) advising *Council* on land use matters referred to it;
  - (c) review and make recommendations on municipal projects referred to it;
  - (d) review and approval of non-conforming *tentative plans* referred to it;
  - (e) review and approval of development permit applications referred to it as a *Development Authority* pursuant to The Development Authority Bylaw; and

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- (f) any other planning matter referred to it.

### COMPOSTION

- 5. (1) The *Commission* is established as a municipal planning commission by this bylaw to consist of the following:
  - (a) ten *public members*; and
  - (b) two *employee members*.
- (2) All members are voting members.
- (3) Members of *Council* shall not be appointed to the *Commission*. For clarity, notwithstanding Section C.8 of the Procedure Bylaw 35M2017, the Mayor shall not be an ex-officio member of the *Commission*.

### PUBLIC MEMBERS

- 6. *Public members* of the *Commission* referred to in Section 5(1)(a) shall:
  - (a) be appointed at the annual *Organizational Meeting* of Council and shall serve for a period of two years or until their successors are appointed, whichever occurs last. *Public members* first appointed pursuant to these provisions may be appointed for a period of one year so as to provide for staggered appointments.
  - (b) be appointed for either one or two year terms that commence on January 1 and end on December 31.
  - (c) be required to disclose any pecuniary interest in the same manner as required of an elected representative pursuant to Sections 169, 170 and 172 of the *Municipal Government Act*.
  - (d) serve no more than six consecutive years.

### EMPLOYEE MEMBERS

- 7. (1) *Employee members* of the *Commission* referred to in Section 5(1)(b) shall:
  - (a) be a General Manager, Director or Manager appointed by the *Chief Administrative Officer*.
  - (b) remain a member of the *Commission* for so long as such person holds the position of the General Manager, Director or Manager as applicable, or until such appointment is revoked by the *Chief Administrative Officer*.
  - (c) in the event of temporary absence, the *employee member* shall, in writing, appoint an employee of the *City* to act in his or her place.

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- (d) in the event of the temporary absence of a member where the *employee member* has not appointed an employee of the *City* to act in his or her place pursuant to subsection 7(1)(c), the *Chief Administrative Officer* shall appoint an employee of the *City* to act in place of the absent member on an interim basis.
- (2) The *Chief Administrative Officer* shall appoint one of the two *employee members* as Chairperson of the Commission.

### PROCEDURES AND CONDUCT

- 8. (1) The procedure and conduct of the *Commission* shall be as follows:
  - (a) the *Commission* shall meet from time to time following a schedule set following the *Organizational Meeting*.
  - (b) meetings of *Commission* may be added or cancelled at the call of the Chair.
  - (c) six members of the *Commission*, including at least one of the *employee members* in subsection 5(1)(b), shall constitute a quorum.
  - (d) in the temporary absence of the *employee member* designated as Chairperson pursuant to Section 7(2), such *employee member* may appoint to act as Chairperson in his or her place either:
    - (i) another member of the *Commission*, or
    - (ii) the employee designated to act in their place pursuant to subsection 7(1)(c).
  - (e) the City Clerk's Office will provide legislative services for the *Commission*.

### ADMINISTRATION

- 9. (1) An *applicant*, at the time of making an application, shall pay to the *City* the applicable fee.
- (2) The fees payable in respect of matters coming before the *Commission* shall be those fees approved by resolution of *Council*.
- (3) The fees last in force prior to the passing of any resolution pursuant to subsection (2) shall continue in force until the first resolution is passed pursuant to subsection (2).

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**COMING INTO FORCE**

10. Bylaw Number 28P95, as amended, is hereby repealed.

11. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_