

PROCEDURAL NOTE TO COUNCIL

Concerning:

Memo 2018-M-023

On behalf of the Planning Advisory Committee

Regarding **Planning Advisory Committee Composition**

Council passed Resolution 17-058 on February 2, 2017 to receive Memo No. 2017-M-006 regarding the Planning Advisory Committee composition and to adopt the recommendations made from PAC that Council does not alter the composition of PAC as proposed in motion 16-465 and to increase efforts and training for Council and citizens to raise levels of understanding on planning processes, issues and decisions.

Council has not as yet reconsidered that decision. Although it is over a year later, Council should still follow the reconsideration process before discussing the attached memo. Section 14.9 of Procedure By-law 16-1279 is cited below for Council's convenience.

Reconsideration

After any question has been decided, the following shall prevail:

- (a) Any Member of Council who voted thereon with the prevailing side may give notice at any Regular Meeting of Council for a reconsideration of the question at any Regular Council Meeting. When notice is given for a reconsideration at the same meeting as a motion was passed, or when notice is given for a reconsideration of a motion from a previous meeting to be reconsidered at the same meeting as the notice was given, the motion shall be reconsidered in the Unfinished Business section of that meeting.*
- (b) Any Member of Council who voted thereon with the prevailing side may move the motion to reconsider, any Member of Council may second it.*
- (c) No discussion of the main question shall be allowed until the motion for reconsideration is carried, and no question shall be reconsidered more than once in a calendar year.*

Respectfully submitted:

Elaine Gunnell
Municipal Clerk



Corporation of the Municipality of Temagami

Memo No.
2018-M-023

Memorandum to Council

Staff
 Committee

Subject: Planning Advisory Committee Composition

Agenda Date: April 17, 2018

Attachments:

- Memo 2016-M-075
- Resolution 16-465 & 16-466
- Resolution 16-595
- Memo 2017-M-006
- Resolution 17-058

RECOMMENDATION

This memorandum is:

To recommend that Council consider the following motion:

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS Council by motion 17-058 chose to not alter the PAC composition and to increase efforts in training and not alter the composition;

AND WHEREAS at the March 13, 2018 PAC meeting the Committee passed a motion regarding the composition;

NOW THEREFORE BE IT RESOLVED THAT Council receive Memo No. 2018-M-023 regarding the committee composition;

AND FURTHER THAT Council adopt the recommendations made by PAC;

AND FURTHER THAT Council consider an amendment to By-law 14-1198 to allow for 9 members, which must include a representative from the Lake Temagami neighbourhood and another member from the amalgamated areas beyond Lake Temagami;

AND FURTHER THAT Council direct staff to advertise for new members;

BACKGROUND INFORMATION

At the September 22, 2016 regular scheduled council meeting a motion was brought forth by Councillor Burrows and was referred to PAC (see attached).

At the November 16, 2016 PAC meeting, the Committee discussed the proposal of adding another member of Council to the current composition. The Committee was extremely hesitant about recommending any changes without public consultation and a legal opinion about whether changing the composition of PAC would require an amendment to the OP. The Committee also discussed other options including adding the member of council who could represent their neighbourhood, and another PAC member to represent the lake, or adding the Member of Council as a non-voting member, as these would not offset the balance. The reason for the hesitancy is that the composition of PAC was agreed to at amalgamation and was included in the 2004 OP as follows:

Section 9.2 of the Official Plan (OP), defines the composition of PAC as limited to a maximum of nine (9) members, which stated:

“Council shall also appoint a Planning Advisory Committee to make recommendations to Council on planning matters and the committee shall be composed of 4 members from the

islands of Lake Temagami, 4 members from the area within the former mainland boundaries of Temagami and one member from the newly incorporated CALA/Marten River area.”

The Composition was changed in the 2013 OP to read:

“Council shall also appoint a Planning Advisory Committee to make recommendations to Council on planning matters. The Committee shall be composed of a maximum of seven (7) members, which shall include the Chair who shall be a member of Council. The representation on the Planning Advisory Committee shall be consistent with the intent agreed to at amalgamation. Where the full complement of members is appointed, the committee shall be composed of the Chair, three (3) members from the Lake Temagami Neighbourhood, two (2) members from the area within the former mainland boundaries of Temagami and one (1) member from the amalgamated areas beyond Lake Temagami. Council may, as it sees fit, change the total number of Planning Advisory Committee members by by-law, without an amendment to this Plan. However, the 50% representation from Lake Temagami and proportionate representation from the other specified areas shall be maintained.”

The composition of PAC changed when the amendment to the OP was adopted. The adopted 2014 Standing Terms of Reference by By-Law 14-1198 reflects the OP.

The Committee passed the following motion at the November 16, 2016 meeting:

16-12

MOVED BY: C. Rannie (By Phone)

SECONDED BY: B. Leudke

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS PAC has had a preliminary discussion on the matter of the composition of the PAC and is hesitant to make a recommendation about potentially changing the numbers on PAC without public consultation on the matter and without a legal opinion on whether the proposed change would require an amendment to the Official Plan;

AND WHEREAS in addition to the hesitancy to alter the numbers, PAC would like to determine if it is more about education and information than about numbers and if there may be alternative methods of addressing this concern than by changing the composition of the committee;

NOW THEREFORE BE IT RESOLVED THAT PAC recommends to Council that PAC defer final recommendation to Council to allow for PAC to invite comments from key groups and the public and to obtain a legal opinion on this matter.

At the Regular Council Meeting held on February 2, 2017 Council passed motion 17-058 to increase efforts, with respect to training for Council, citizens and PAC. The training was to assist in raising the level of understanding on the planning processes, issues and decisions. Christopher Brown, Planner from the Ministry of Municipal Affairs (MMA) and his associate Caitlin Carmichael came and did a training session “Planning 101”. This sessions was open to the public and held as a Special Council Meeting held on September 6th, 2017.

At the March 13, 2018 PAC meeting, the Committee discussed that the Municipality is heading into an Official Plan review that having more members on the Committee will give a greater voice to the concerns regarding the document. The committee had no consensus in the approach to accomplish this and if a legal opinion is required. The consensus of the Committee was that new voices heard can be helpful and that the balance of the committee still needs to be maintained.

The Committee passed the following motion by recorded vote:

18-21

MOVED BY: B. Leudke

SECONDED BY: B. Graham

WHEREAS section 9.2 of the Official Plan, "Planning Administration", defines the composition of the Planning Advisory Committee as limited to a maximum of seven (7) members;

AND WHEREAS Council acknowledge that the current composition of PAC is prescribed in our approved Official Plan and reflects a fundamental agreement at amalgamation;

AND WHEREAS Council consider an amendment to By-law 14-1198 to allow for 9 members, which must include a representative from the Lake Temagami neighbourhood and another member from the amalgamated areas beyond Lake Temagami.

NOW THEREFORE BE IT RESOLVED THAT Council adopt the recommendation from PAC;

AND FURTHER THAT Council direct staff to advertise for new members.

YEAS NAYS

| | YEAS | NAYS |
|------------------|------|------|
| C. Dwyer | ✓ | |
| J. Hasler | ✓ | |
| J. Kenrick | | ✓ |
| B. Leudke | ✓ | |
| L. Hunter | | |
| C. Rannie | ✓ | |
| B. Graham | ✓ | |
| Chair D. Burrows | ✓ | |

Recorded vote 6 Yeas 1 Nay

CARRIED

Prepared by:

Approved for Council consideration by:

**Tammy Lepage,
Administrative Assistant**

**Elaine Gunnell,
Acting CAO/Municipal Clerk**

Name, Position

Names, Positions

Planning Advisory Committee

Name of Committee



Corporation of the Municipality of Temagami

Memo No.
2017-M-006

Memorandum to Council

Staff
 Committee

Subject: Planning Advisory Committee Compliment

Agenda Date: February 2, 2017

Attachments: Resolution 16-465
Resolution 16-466
Memo2016-M-075
Resolution 16-595

RECOMMENDATION

This memorandum is:

To recommend that Council consider the following motion:

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS at the January 17, 2017 PAC meeting the Committee passed a motion to make a recommendation to Council;

NOW THEREFORE BE IT RESOLVED THAT Council receive Memo No. 2017-M-006 regarding the Planning Advisory Committee composition;

AND FURTHER THAT Council acknowledge that the current composition of PAC is prescribed in our approved Official Plan and reflects a fundamental agreement at amalgamation;

AND FURTHER THAT Council acknowledge and adopt the recommendations made from PAC that Council does not alter the composition of PAC as proposed in motion 16-465 and to increase efforts and training for Council and citizens to raise levels of understanding on planning processes, issues and decisions.

BACKGROUND INFORMATION

At the September 22, 2016 regular council meeting, a notice of motion was brought forth by Councillor Burrows. Resolution 16-465 (Attached) was deferred by Council and Resolution 16-466 (Attached) was passed to refer the matter to PAC for recommendations.

At the November 24, 2016 regular council meeting, Memo 2016-M-075 was presented to Council which included PAC's recommendation and Resolution 16-595 (Attached) was defeated. By defeating motion 16-595 PAC was not authorized to do public consultation and gain a legal opinion therefore, it defaulted back to the original motion 16-466.

At the January 17, 2017 Planning Advisory Committee Meeting the consensus of the Committee members was to recommend to not alter the composition of PAC. The Committee passed the following motion:

17-03

MOVED BY: J. Kenrick

SECONDED BY: C. Rannie (By Phone)

WHEREAS Council asked the Planning Advisory Committee (PAC) to make recommendations on motion 16-465 and motion 16-466 regarding the composition of the Planning Advisory Committee; AND WHEREAS the current composition of PAC is prescribed in our approved Official Plan and reflects a fundamental agreement at amalgamation; NOW THEREFORE BE IT RESOLVED THAT PAC strongly recommends Council does not alter the composition of PAC as proposed in motion 16-465; AND FURTHER THAT the municipality increases efforts and training for Council and citizens to raise levels of understanding on planning processes, issues and decisions.

CARRIED

Prepared by: Reviewed by: Approved for Council consideration by:

| | | |
|---|--|--|
| Tammy Lepage, Planning Assistant | Elaine Gunnell, Municipal Clerk | Patrick Cormier, Chief Administrative Officer |
| Name, Position | Name, Position | Name, Position |
| Planning Advisory Committee | | |
| Name of Committee | | |



Corporation of the Municipality of Temagami

Memo No.
2016-M-075

Memorandum to Council

Staff
 Committee

Subject: Planning Advisory Committee Composition

Agenda Date: November 24, 2016

Attachments: Resolution 16-465 & 16-466

RECOMMENDATION

This memorandum is:

To recommend that Council consider the following motion:

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS at the November 16, 2016 PAC meeting the Committee passed a motion regarding the composition;

AND WHEREAS PAC has recommended to Council that PAC defer final recommendation to Council until public consultation;

NOW THEREFORE BE IT RESOLVED THAT Council receive Memo No. 2016-M-075 regarding the committee composition;

AND FURTHER THAT Council adopt the recommendations made by PAC;

AND FURTHER THAT Council direct staff to seek a legal opinion;

AND FURTHER THAT Council direct staff to send out notices to key groups and the public to invite comments to PAC.

BACKGROUND INFORMATION

At the September 22, 2016 regular scheduled council meeting a motion was brought forth by Councillor Burrows and was referred to PAC (see attached).

At the November 16, 2016 PAC meeting, the Committee discussed the proposal of adding another member of Council to the current composition. The Committee was extremely hesitant about recommending any changes without public consultation and a legal opinion about whether changing the composition of PAC would require an amendment to the OP. The Committee also discussed other options including adding the member of council who could represent their neighbourhood, and another PAC member to represent the lake, or adding the Member of Council as a non-voting member, as these would not offset the balance. The reason for the hesitancy is that the composition of PAC was agreed to at amalgamation and was included in the 2004 OP as follows:

Section 9.2 of the Official Plan (OP), defines the composition of PAC as limited to a maximum of nine (9) members, which stated:

“Council shall also appoint a Planning Advisory Committee to make recommendations to Council on planning matters and the committee shall be composed of 4 members from the islands of Lake Temagami, 4 members from the area within the former mainland boundaries of Temagami and one member from the newly incorporated CALA/Marten River area.”

The Composition was changed in the 2013 OP to read:

“Council shall also appoint a Planning Advisory Committee to make recommendations to Council on planning matters. The Committee shall be composed of a maximum of seven (7) members, which shall include the Chair who shall be a member of Council. The representation on the Planning Advisory Committee shall be consistent with the intent agreed to at amalgamation. Where the full complement of members is appointed, the committee shall be composed of the Chair, three (3) members from the Lake Temagami Neighbourhood, two (2) members from the area within the former mainland boundaries of Temagami and one (1) member from the amalgamated areas beyond Lake Temagami. Council may, as it sees fit, change the total number of Planning Advisory Committee members by by-law, without an amendment to this Plan. However, the 50% representation from Lake Temagami and proportionate representation from the other specified areas shall be maintained.”

The composition of PAC changed when the amendment to the OP was adopted. The adopted 2014 Standing Terms of Reference by By-Law 14-1198 reflects the OP.

The Committee passed the following motion:

16-12

MOVED BY: C. Rannie (By Phone)

SECONDED BY: B. Leudke

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS PAC has had a preliminary discussion on the matter of the composition of the PAC and is hesitant to make a recommendation about potentially changing the numbers on PAC without public consultation on the matter and without a legal opinion on whether the proposed change would require an amendment to the Official Plan;

AND WHEREAS in addition to the hesitancy to alter the numbers, PAC would like to determine if it is more about education and information than about numbers and if there may be alternative methods of addressing this concern than by changing the composition of the committee;

NOW THEREFORE BE IT RESOLVED THAT PAC recommends to Council that PAC defer final recommendation to Council to allow for PAC to invite comments from key groups and the public and to obtain a legal opinion on this matter.

Prepared by:
by:

Reviewed by:

Approved for Council consideration

| | | |
|---|--|--|
| Tammy Lepage, Administrative Assistant | Elaine Gunnell, Municipal Clerk & Ron Prefasi, Chair of PAC | Patrick Cormier, Chief Administrative Officer |
| Name, Position | Names, Positions | Name, Position |
| Planning Advisory Committee | | |
| Name of Committee | | |

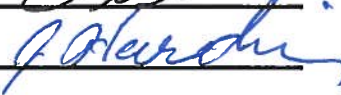
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THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

NO.: 16-465

DATE: September 22, 2016

MOVED BY: 

SECONDED BY: 

WHEREAS section 9.2 of the Official Plan, "Planning Administration", defines the composition of the Planning Advisory Committee as limited to a maximum of seven (7) members;

AND WHEREAS at this time there is not a full complement on the Planning Advisory Committee as set out in the Plan;

AND WHEREAS the Municipality's responsibility is to be open, accountable and to give the best representation to the public;

AND WHEREAS the appointment of the full complement of members to this committee is a demonstration of council's due diligence in bringing the best planning practices to Temagami;

NOW THEREFORE BE IT RESOLVED THAT Council consider an amendment to By-law 14-1198 to allow for 8 members, which include a second member of Council, so that Councillor Debby Burrows could be appointed as deputy-chair to the Planning Advisory Committee.

CARRIED _____ AMENDED _____ DEFEATED _____ DEFERRED

Declaration of Conflict of Interest:

MAYOR: 

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

NO.: 16-466

DATE: September 22, 2016

MOVED BY: 

SECONDED BY: 

BE IT RESOLVED THAT Council defer this motion and refer it to the Planning Advisory Committee for recommendations back to Council.

CARRIED AMENDED DEFEATED DEFERRED

Declaration of Conflict of Interest:

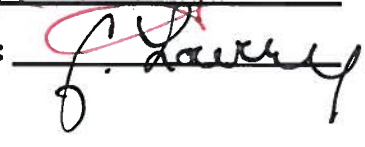
MAYOR: 

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

NO.: 16-595

DATE: November 24, 2016

MOVED BY: 

SECONDED BY: 

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS at the November 16, 2016 PAC meeting the Committee passed a motion regarding the composition;

AND WHEREAS PAC has recommended to Council that PAC defer final recommendation to Council until public consultation has been done and a legal opinion obtained;

NOW THEREFORE BE IT RESOLVED THAT Council receive Memo No. 2016-M-075 regarding the committee composition;

AND FURTHER THAT Council adopt the recommendations made by PAC;

AND FURTHER THAT Council direct staff to seek a legal opinion;

AND FURTHER THAT Council direct staff to send out notices to key groups and the public to invite comments to PAC.

CARRIED _____ AMENDED _____ DEFEATED DEFERRED _____

Declaration of Conflict of Interest:

MAYOR: 

Recorded Vote

| | Yea | Nay |
|--------------------|-----|-----|
| Debby Burrows | ✓ | |
| John Harding | | ✓ |
| Carol Lowery | | ✓ |
| Ron Puffasi | ✓ | |
| Dan O'Mara, Chair. | | ✓ |



Corporation of the Municipality of Temagami

Memo No.
2017-M-006

Memorandum to Council

Staff
 Committee

Subject: Planning Advisory Committee Compliment

Agenda Date: February 2, 2017

Attachments: Resolution 16-465
Resolution 16-466
Memo2016-M-075
Resolution 16-595

RECOMMENDATION

This memorandum is:

To recommend that Council consider the following motion:

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS at the January 17, 2017 PAC meeting the Committee passed a motion to make a recommendation to Council;

NOW THEREFORE BE IT RESOLVED THAT Council receive Memo No. 2017-M-006 regarding the Planning Advisory Committee composition;

AND FURTHER THAT Council acknowledge that the current composition of PAC is prescribed in our approved Official Plan and reflects a fundamental agreement at amalgamation;

AND FURTHER THAT Council acknowledge and adopt the recommendations made from PAC that Council does not alter the composition of PAC as proposed in motion 16-465 and to increase efforts and training for Council and citizens to raise levels of understanding on planning processes, issues and decisions.

BACKGROUND INFORMATION

At the September 22, 2016 regular council meeting, a notice of motion was brought forth by Councillor Burrows. Resolution 16-465 (Attached) was deferred by Council and Resolution 16-466 (Attached) was passed to refer the matter to PAC for recommendations.

At the November 24, 2016 regular council meeting, Memo 2016-M-075 was presented to Council which included PAC's recommendation and Resolution 16-595 (Attached) was defeated. By defeating motion 16-595 PAC was not authorized to do public consultation and gain a legal opinion therefore, it defaulted back to the original motion 16-466.

At the January 17, 2017 Planning Advisory Committee Meeting the consensus of the Committee members was to recommend to not alter the composition of PAC. The Committee passed the following motion:

17-03

MOVED BY: J. Kenrick

SECONDED BY: C. Rannie (By Phone)

WHEREAS Council asked the Planning Advisory Committee (PAC) to make recommendations on motion 16-465 and motion 16-466 regarding the composition of the Planning Advisory Committee; AND WHEREAS the current composition of PAC is prescribed in our approved Official Plan and reflects a fundamental agreement at amalgamation; NOW THEREFORE BE IT RESOLVED THAT PAC strongly recommends Council does not alter the composition of PAC as proposed in motion 16-465; AND FURTHER THAT the municipality increases efforts and training for Council and citizens to raise levels of understanding on planning processes, issues and decisions.

CARRIED

Prepared by: Reviewed by: Approved for Council consideration by:

| | | |
|---|--|--|
| Tammy Lepage, Planning Assistant | Elaine Gunnell, Municipal Clerk | Patrick Cormier, Chief Administrative Officer |
| Name, Position | Name, Position | Name, Position |
| Planning Advisory Committee | | |
| Name of Committee | | |

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

NO.: 17-058

DATE: February 2, 2017

MOVED BY: [Signature]
SECONDED BY: [Signature]

WHEREAS Council by motion 16-466 asked the Planning Advisory Committee (PAC) to make recommendations on the deferred motion 16-465 regarding the composition of the Planning Advisory Committee;

AND WHEREAS at the January 17, 2017 PAC meeting the Committee passed a motion to make a recommendation to Council;

NOW THEREFORE BE IT RESOLVED THAT Council receive Memo No. 2017-M-006 regarding the Planning Advisory Committee composition;

AND FURTHER THAT Council acknowledge that the current composition of PAC is prescribed in our approved Official Plan and reflects a fundamental agreement at amalgamation;

AND FURTHER THAT Council acknowledge and adopt the recommendations made from PAC that Council does not alter the composition of PAC as proposed in motion 16-465 and to increase efforts and training for Council and citizens to raise levels of understanding on planning processes, issues and decisions.

CARRIED AMENDED DEFEATED DEFERRED

Declaration of Conflict of Interest:

MAYOR: [Signature]

Recorded Vote

| | YEAS | NAYS |
|--------------------|-------------------------------------|-------------------------------------|
| Councillor Burrows | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Councillor Harding | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councillor Koski | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councillor Lowery | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councillor O'Mara | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Councillor Prefasi | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mayor Hunter | <input checked="" type="checkbox"/> | <input type="checkbox"/> |