



Terms of Reference

PLANNING ADVISORY COMMITTEE (PAC)

Purpose

Planning Advisory Committee (PAC) shall provide advice and recommendations to Municipal Council related to land use planning including the development of, and amendments to Municipal Planning Strategy and Land Use Bylaw, development agreements, heritage designations, policy considerations, as well as other related land use planning and heritage matters.

Authority

Section 200 of the *Municipal Government Act* states that:

(1) A municipality may, by policy, establish a planning advisory committee and may establish different planning advisory committees for different parts of the municipality.

(3) A planning advisory committee shall include members of the public.

(4) The purpose of a planning advisory committee is to advise respecting the preparation or amendment of planning documents and respecting planning matters generally.

(5) The duties assigned, pursuant to this Part, to a planning advisory committee shall only be carried out by the committee.

(6) The council shall appoint members of a planning advisory committee by resolution.

Section 202 of the *Municipal Government Act* states that:

In the policy establishing a planning advisory committee, the council shall

(a) fix the term of appointment and any provisions for reappointment;

(b) fix the remuneration, if any, to be paid to the chair of the committee, if the chair is not a council member;

(c) fix the remuneration, if any, to be paid to those members of the committee who are not council members;

(d) establish the duties and procedures of the committee; and

(e) provide for the appointment of the chair and other officers of the committee.

Scope

The scope of the Planning Advisory Committee shall be to review and fully understand reports and documents prepared by Town staff and brought forward to PAC for review, comment, make recommendations for changes, and recommend adoption by Council, for the following issues:

- a. applications for Land Use Bylaw amendments or zoning changes; and
- b. applications for policy changes to Municipal Planning Strategy; and
- c. applications for development agreements; and
- d. applications for heritage registration or de-registration; and
- e. general community planning matters.

Role of Chairperson

The Chairperson will be selected by the Planning Advisory Committee at their first meeting each year and is responsible for chairing and facilitating all meetings, ensuring that appropriate research, directions and recommendations are given by the Committee, including the provision for adoption of public participation programs, policy application processes for amendments, registrations, or de-registrations, as well as all other items incidental to the effective planning and land use within Town of Kentville, considering current neighbourhood environments and expected future growth and development. The Chairperson shall also ensure that the Town's Planning Advisory Committee's performance is reviewed annually.

Role of Vice Chairperson

A Vice Chairperson shall be appointed by the Planning Advisory Committee and act in the place of the Chairperson during absences, unavailability, or conflicts of interest of the Chairperson.

Role of Provincial Director of Planning

Provincial Director of Planning, or their designate(s), shall be the person designated by the Province of Nova Scotia as the provincial oversight of Town of Kentville's planning matters, including reviewing of draft documents, recommending improvements, providing interpretations of provincial acts and regulations, and thereafter recommending adoption of such MPS/LUB plans or amendments to the Minister of Municipal Affairs.

Role of Director of Planning

Director of Planning will be responsible to support Planning Advisory Committee decision making by providing detailed background research reports and data, direction and support for various options to approach application or staff recommendation for amendments, registrations, or de-registrations. They will help to facilitate meeting discussions to assist committee members with fully understanding request, implications for various options including legalities and appeal processes, and make appropriate recommendations to Council, thereafter, including advertising, public information meetings, and timelines.

Specifically, the Director shall carry out, or facilitate the carrying out of:

- a. application reviews for completeness and fees; and
- b. preparation of staff report and discussion papers; and
- c. drafting of potential options for amendments to bylaws, policies, agreements, or registrations; and
- d. prepare reports for Council; and
- e. prepare and advertise notice of public information sessions and public hearings; and
- f. review applications with Committee at PAC and Council; and
- g. advertise proposed meeting dates according to legislation and approval advertisements for public notification; and
- h. submit approved changes to the province for filing or approval; and
- i. notify application of decision.

Director of Planning shall lead the research and report writing aspect of the Committee's work to ensure the Committee has the best information to make a decision or recommendation to Council.

Membership

Membership on the Planning Advisory Committee shall include three elected representatives from town council and up to three members of the public, duly appointed by council pursuant to Section 200(6) of the *Municipal Government Act*. Members of the public appointed to this committee must have a strong base of community knowledge and history of neighbourhoods and be willing and able to attend numerous public information and PAC meetings throughout the year, interpreting and administering complex regulatory processes and rules.

Reporting Relationship

Planning Advisory Committee shall report directly to the Council of Town of Kentville and indirectly to the Chief Administrative Officer for operational and administrative support.

Duration of Mandate

The mandate of the Planning Advisory Committee shall be from December 1, 2025, to November 30, 2027, and is subject to renewal thereafter according to Section 200(6) of the *Municipal Government Act* and at the discretion of council according to policy.

Frequency of Meetings

Meetings of the Planning Advisory Committee shall be held on such day and time as the committee decides at the first meeting of the committee. Additional meetings may be held, or the above meeting dates and times changed, when

agreed to by a majority of the committee and prior notification is provided to committee members.

Quorum Requirements

Notwithstanding Robert's Rules of Order, no decisions may be made at any Planning Advisory Committee meeting unless at least two elected representatives and two community representatives are present.

Agenda, Minutes and Resolutions

Minutes and recommendations of the Planning Advisory Committee shall be provided to each member of the committee within a reasonable time after the conclusion of such meeting. Director of Planning will endeavour to provide each member of the committee with the agenda and required supporting documentation at least five days prior to each meeting.

Conflict of Interest

It is expected that all members of the Planning Advisory Committee will adhere to the *Municipal Conflict of Interest Act*, disclosing any pecuniary or indirect pecuniary interest in any matter before the committee and refrain from taking part in, or trying to influence either before or after the meeting, any directions or decisions respecting such matters. Any clear breach of this guideline will require the Chairperson to ask council to remove that member and appoint another member in their place. If the breach is by the Chairperson, this shall be reported to council by the Vice Chairperson.

Code of Conduct

All committee members must acknowledge receipt of and agree to adhere to the Town's Code of Conduct Policy.

Resources

Planning Advisory Committee shall have access to the resources of the Director of Planning and other Planning Department staff through the Director of Planning, to undertake the required research it needs to make the most appropriate decisions in a timely manner. Requests for resources above the annual budgeted amount for staffing costs or consultant fees shall be made by the committee through the Chairperson to council, on an as needed basis.

Decision Making Process

All decisions of the Planning Advisory Committee shall be made by majority vote of committee members. Where a majority is not forthcoming, the vote shall be determined in the negative. The committee shall oversee and facilitate the implementation of the Town's MPS and LUB documents, as well as Heritage

Bylaw, by giving advice to the Director of Planning, but shall not change the terms and conditions of planning policies or processes or expend funds.

Confidentiality

All meetings of the Planning Advisory Committee are public, except those matters deemed to be private and confidential in nature and subject to Section 22 of the *Municipal Government Act*. Minutes and subsequent resolutions of such meetings shall be recorded and publicly available upon request. Information and reports of the committee shall be subject to normal Freedom of Information and Protection of Privacy (FOIPOP) regulations.

Communications

All communications and messaging from the Planning Advisory Committee's work and activities shall come solely from the Chairperson or their designate. It is expected that all decisions of the committee will be supported by all members of the committee upon ratification. This does not limit the ability of individual member's from speaking freely with the media, but in all such cases the individual committee member should be clear that it is their personal opinion and not that of the Planning Advisory Committee.

Reporting

At least bi-annually, Director of Planning and Chairperson shall provide a written report to Council concerning the committee's work plan, as well as focus and directions. Should council require, an oral presentation may be requested of the Chairperson at any time if council wishes to have further clarification or reporting on the committee's work.

Responsibilities

Planning Advisory Committee shall be responsible for overseeing a fair and transparent public review process of applications for planning changes including planning strategy amendments, zoning and mapping changes, development agreement applications, and other similar general planning matters. The Committee shall review and analyze information brought before it, seek additional information, when necessary, discuss options, and make timely decisions and make recommendations to Council that are in the best interests of residents, neighbourhoods, and businesses. Planning Advisory Committee shall endeavour to carry out the following functions:

- a. ensure that the proposal conforms with the purpose and intention of the MPS and LUB, along with other regulations; and
- b. ensure that the proposed registration or de-registration meet the requirements of the Heritage Bylaw and Heritage Property Act; and

- c. that the proposal is not inappropriate in that it does not create an undue financial hardship on the Town, there is adequate water, sewer, stormwater capacity, and fire protection to meet the current and future needs of the development; and
- d. there are adequate recreation, park, and community facilities nearby to support the recreational and social needs of residents; and
- e. road networks in, adjacent to, and leading to the proposed development in terms of ability to handle additional traffic volumes and types that the developments will generate; and
- f. the potential for contamination of watercourses, or the creation of erosion sedimentation and/or flooding conditions; and
- g. the potential for damage to, or destruction of, important and designated historical and heritage buildings and sites; and
- h. adequacy of the development to address conflicts with current uses or adjacent uses related to types of use, height in comparison to neighbours, traffic generation and safe pedestrian access, parking, outdoor storage, hours of operation, signage, landscaping, buffering, not obstruct water courses, building separations for fire safety, architectural characteristics for planned use, site suitability related to soil conditions, slope, geological constraints; and
- i. application is complete and meets the goals and objectives set out in the MPS and LUB; and
- j. public information session feedback and public input during each process is fairly and reasonably considered; and
- k. makes an unbiased and fact-based recommendation to Council in a reasonable time, always considering the future of Kentville demographics in 5-, 10-, and 20-years time.

Approved by Council: September 29, 2025