

Planning Advisory Committee Procedure By-law

As set out in the [Advisory Body Review report](#) (ACS2023-OCC-GEN-0008), approved by City Council on July 12, 2023, and pursuant to subsection 238(2) and 238(2.1) of the *Municipal Act, 2001*, the Planning Advisory Committee shall pass the following procedure by-law:

1. RULES OF PROCEDURE ADOPTED/SUSPENDED

- (1) The proceedings of the Advisory Committees and the conduct of their members and the calling of meetings shall be governed by the provisions of the rules and regulations contained in this By-law, and, except as provided herein, the rules of parliamentary procedure as contained in the Rules of Procedure for City Council and its Standing Committees, shall be followed for governing the proceedings of the Advisory Committees and the conduct of its members.
- (2) Despite Subsection 1(1), the rules and regulations contained in this By-law may be suspended by a vote of three-quarters of the members present and voting.

2. DEFINITIONS

In this by-law,

- (1) “Advisory Committee” means a statutory or policy-based advisory body established by City Council that is required under legislation or has direct ties to legislation;
- (2) “Advisory Committee Coordinator” or “Committee Coordinator” mean the person whose duties include the recording of the proceedings of Advisory Committee meetings;
- (3) “City” means the City of Ottawa;
- (4) “Chair” means the chair of the Advisory Committee;
- (5) “City Manager” means the chief administrative officer referred to in Section 229 of the *Municipal Act, 2001*;
- (6) “Clerk” means the position appointed pursuant to Section 228 of the *Municipal Act, 2001*, being the City Clerk for the City of Ottawa;

- (7) "Council" means the Council of the City of Ottawa;
- (8) "Council Member" or "Councillor" means a person elected or appointed as a member of Council but does not include the Mayor;
- (9) "Day" does not include Saturday, Sunday or a holiday;
- (10) "General Manager" means the official responsible for a department within the City;
- (11) "Mayor" means the Mayor as the Head of Council, or in the absence of the Mayor, the Deputy Mayor or, in the absence of both, another member of Council appointed in accordance with the provisions of a by-law;
- (12) "Notice of Motion" means a written notice, including the name of the mover, advising the Advisory Committee that the motion described therein will be brought at a subsequent meeting;
- (13) "Privilege" means the raising of a question which concerns a member of an Advisory Committee, or the Advisory Committee collectively, when a member believes that their rights, immunities or integrity or the rights, immunities or integrity of the Advisory Committee as a whole have been impugned;
- (14) "Point of Order" means a statement made by a member of an Advisory Committee during a meeting thereof drawing to the attention of the Chair a breach of the Rules of Procedure;
- (15) "Presiding Officer" means an Advisory Committee member appointed in accordance with the provisions of the By-law to preside over a regular or special meeting of the Advisory Committee in the absence of the Chair and Vice-Chair;
- (16) "Procedural Motion" means any motion concerning the manner or time of consideration of any matter before the Advisory Committee as opposed to the substance thereof, and includes, without limitation, the following:
 - (a) to extend the time of the meeting;
 - (b) to refer;
 - (c) to lay on the table;

- (d) to defer indefinitely or to a certain day;
- (e) to adjourn; or
- (f) to suspend the Rules of Procedure;
- (17) “Rules of Procedure” means the rules and regulations provided in this By-law;
- (18) “Standing Committee” means a Committee of Council comprised solely of members of Council who are appointed by Council; and,
- (19) “Vice-Chair” means the Vice-Chair of an Advisory Committee as appointed by the Advisory Committee.

PART I – ADVISORY COMMITTEES

3. ADVISORY COMMITTEE MEMBER – DUTIES

A member of an Advisory Committee shall have the following duties:

- (1) to deliberate on the business submitted to the Advisory Committee;
- (2) to vote when a motion is put to a vote;
- (3) to respect the Rules of Procedure, the Code of Conduct for Members of Local Boards, and any guidelines for Advisory Committee members.

4. AGENDA PREPARATION

- (1) The Agenda for a meeting of an Advisory Committee shall be prepared by the Advisory Committee Coordinator in consultation with the Chair, or in the absence of the Chair, the Vice-Chair for that Committee.
- (2) Despite subsection (1), the City Manager, all General Managers and the City Clerk or designates and Members of Council have the right to place items on the Agenda of any Advisory Committee.

5. COMMITTEE CHAIR

The Advisory Committee Coordinator shall preside at the inaugural meeting of any Advisory Committee to conduct the election of the Chair and Vice-Chair of the Committee.

6. DUTIES OF THE COMMITTEE CHAIR

It shall be the duty of the Committee Chair,

- (1) to open the meeting of the Advisory Committee by taking the chair and calling the members to order;
- (2) to announce the business before the Advisory Committee and the order in which it is to be acted upon;
- (3) to receive and submit, in the proper manner, all motions presented by the members of the Advisory Committee;
- (4) to provide information to members of the Advisory Committee on any matter touching on the business of the Committee;
- (5) to act as spokesperson on behalf of the Advisory Committee;
- (6) Despite Subsection (5), the Advisory Committee may designate a Committee Member as the official spokesperson for the Advisory Committee on a specific issue, when called upon by Council, a Standing Committee, a member of the media or community organization;
- (7) to authenticate, by electronic or physical signature, all minutes of the Advisory Committee;
- (8) to enforce the Rules of Procedure; and
- (9) to adjourn the meeting when the business is concluded.

7. PARTICIPATION OF CHAIR IN DEBATE

- (1) The Chair may state relevant facts and the Chair's position on any matter before the Advisory Committee without leaving the chair, but it shall not be permissible without the will of the Committee for the Chair to move a motion or debate a question without first leaving the chair.
- (2) If the Chair is absent, or desires to leave the chair to move a motion or to take part in the debate pursuant to Subsection (1), or otherwise, the Chair shall call on the Vice-Chair to preside until the Chair resumes the chair.

8. QUORUM

- (1) An Advisory Committee shall not consider any business if a quorum is not present.

- (2) Despite Subsection 8(1), an Advisory Committee may receive and table submissions/information from the public, if a quorum is not present, and these submissions/information may be considered at a subsequent Committee meeting.
- (3) A quorum for an Advisory Committee having an even number of members is one half of all the members thereof. A quorum for an Advisory Committee having an uneven number of members is a simple majority of the number of members thereof.
- (4) In the event quorum is not present 15 minutes after the time appointed for a meeting, the members present may ask the Committee Coordinator to call the roll and record the names of the members present and the meeting will then stand adjourned until the next scheduled meeting, or at the call of the Chair:
 - (a) The members who are present may agree to proceed informally with the agenda and the Committee Coordinator will report to the next meeting of the Advisory Committee on any proposals made at the informal gathering;
 - (b) Any proposals made at the informal gathering will be submitted to the advisory committee for consideration at the next regular meeting; and,
 - (c) If during the informal meeting, quorum occurs within one hour of the stated start time, the Chair or in their absence the Vice-Chair, or in their absence, the presiding officer shall move a Motion to call the meeting to "order."
- (5) If quorum is lost during a meeting for a period of 15 minutes, members present may ask the Committee Coordinator to record the names of those members present and the meeting will stand adjourned until the next scheduled meeting, or at the call of the Chair:
 - (a) The members present may agree to proceed informally with the agenda and the Committee Coordinator will report to the next meeting on any proposals made at the informal gathering; and,

- (b) Any proposals made at the informal gathering will be submitted for consideration at the next regular meeting.
- (6) If neither the Chair nor the Vice-Chair has arrived 15 minutes after the time the meeting is to start, or have advised they will not be in attendance, if a quorum is present, one of the other members of the Advisory Committee may be appointed Presiding Officer for the duration of the meeting or until the arrival of the Chair or Vice-Chair.

9. MEETINGS OF COMMITTEES

- (1)
 - (a) The regular meetings of Advisory Committees, with the exception of the Accessibility Advisory Committee and Planning Advisory Committee, shall be four times a year on the day of the month determined by the Clerk, or designate, subject to confirmation by the Advisory Committee, with the time and place to be determined by the Advisory Committee.
 - (b) The regular meetings of the Accessibility Advisory Committee shall be eight times a year on the day of the month determined by the Clerk, or designate, subject to confirmation by the Advisory Committee, with the time and place to be determined by the Advisory Committee.
 - (c) The regular meetings of the Planning Advisory Committee shall be twice a year, on the day of the month determined by the Clerk, or designate, in consultation with the General Manager of Planning, Real Estate and Economic Development.
 - (d) Individual regular meetings of a Committee may be varied by the Clerk with the approval of the Chair, from the day of the week, time and place, subject to the required notice provisions.
 - (e) The Clerk with the approval of the Chair may cancel one or more regular meetings of the Advisory Committee if in the Chair's opinion such meetings are not necessary for the proper conduct of the business of the Committee.
- (2) No Advisory Committee shall be scheduled to meet while the Council is in session.
- (3) Members may speak more than once on the same question.

- (4) Notwithstanding Subsection (3), no member, without leave of the Committee, shall speak to the same question, at one time, or in reply, for longer than five minutes.
- (5) A substantive motion made in Committee must be in writing but need not be seconded.
- (6) Seven calendar days' notice of a meeting shall be given to the members of a Committee.
- (7) Advisory Committee members have the right to place items on Committee agendas provided that such items are received by the Advisory Committee Coordinator nine calendar days in advance of the Committee meeting, and provided that the item falls within the mandate and Terms of Reference of the Advisory Committee.
- (8) No meeting shall proceed beyond 10:30 pm without the majority consent of members present.
- (9) Members of Advisory Committees may participate in a meeting via telephonic or electronic means within the parameters in the *Procedure By-law* for Council and any applicable Council motions, following instructions provided by the City Clerk in order to ensure that the meeting may proceed in the most transparent and successful manner under the circumstances. Members participating electronically shall be deemed to be present at the meeting for the purposes of establishing quorum.

10. SPECIAL MEETINGS

- (1) A Special Meeting shall be summoned by the Committee Coordinator at the request of the Chair, or upon receipt of a written request from the majority of Members of the Advisory Committee. The notice shall contain the date, time and purpose for which the meeting is called.
- (2) Notice of all Special Meetings of the Committee setting forth the matters to be considered at such Special Meeting shall be given to all members of the Committee either:
 - (a) by delivery to the residence or place of business of the member, including by electronic mail, not less than six hours in advance of the time fixed for the meeting, and the Committee Coordinator shall

attempt to give such other notice of the meeting to the member by telephone or as is otherwise practical within the circumstances;

- (b) by personal service to the members not less than six hours in advance of the time fixed for the meeting; and/or
- (c) by prepaid, special delivery mail deposited in a Canada Post Corporation Post Office not less than seventy-two hours in advance of the time fixed for the meeting.

- (3) The Committee shall not consider or decide any matter not set forth in the notice calling the Special Meeting, without the consent, recorded in the minutes, of all of the members of the Committee.
- (4) For Advisory Committees, consent pursuant to subsection 10(3) can include written consent by a member who is unable to attend the Special Meeting.
- (5) Subject to Section 13, a Special Meeting of the Committee may be either open or closed as determined by the Committee.
- (6) Once received by the Coordinator, no member may add or remove their name from a petition filed under Subsection (1).

11. PLACE OF MEETING

All meetings of the Advisory Committee shall be held at the Ottawa City Hall or at such other place as is specified in the notice calling the meeting.

12. MEETINGS OPEN TO PUBLIC

- (1) Subject to Section 13 the meetings of the Advisory Committees shall be open to the public and no person shall be excluded therefrom except for improper conduct.
- (2) The Chair may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

13. CLOSED MEETINGS

- (1) An Advisory Committee may, by resolution, close a meeting or part of a meeting to members of the public if:

- (a) The subject matter to be considered falls within one of the permitted exceptions set out in the *Municipal Act, 2001*; and
 - (b) The City Clerk, in consultation with the Integrity Commissioner/Meetings Investigator, has authorized the closing of the meeting pursuant to Subsection 13(1)(a).
- (2) A resolution to close a meeting or part of a meeting to the public shall state,
 - (a) the fact of the holding of the closed meeting; and,
 - (b) the general nature of the matter to be considered at the closed meeting.
 - (3) Where a meeting or part of a meeting is closed to the public, all persons not specifically invited to remain by the Advisory Committee shall leave the meeting.
 - (4) A vote shall not be taken during a meeting or part of a meeting that is closed to the public where to do so would be in contravention of any *Act*.

14. GENERAL PROVISIONS FOR ADVISORY COMMITTEES

- (1) The Chair shall preside; in the absence of the Chair, the Vice-Chair shall preside or in the absence of the Chair or Vice-Chair, a member appointed by the Committee shall preside.
- (2) All members of the Advisory Committee shall vote on any motion before the Committee, and, in the event of an equality of votes, the motion being voted upon shall be deemed to have been lost.
- (3) Advisory Committees shall consider and report on such matters only as have been referred to them by the Council, their respective Standing Committee or such matters as come within their continuing Terms of Reference.
- (4) Advisory Committees may receive representations from the public, however, no person, without leave of the Committee, shall speak for longer than five minutes.
- (5) Subject to its Terms of Reference, each Advisory Committee shall diligently pursue its duties and shall report, at least once a Term of Council, to its

respective Standing Committee on matters and questions coming before it within its Terms of Reference.

- (6) Should the Chair of any Advisory Committee neglect to fulfill their responsibilities in accordance with this By-law, or do the business of the Committee without the knowledge or consent of its members, the Advisory Committee may report such neglect, refusal or action to the Standing Committee which may remove such Chair from office or the Advisory Committee may appoint another member as Chair.
- (7) Any member of an Advisory Committee who is absent from two consecutive regularly scheduled meetings of the Committee shall be contacted by the Advisory Committee Coordinator to confirm their commitment to the Committee. The member will also be advised that if they miss a third meeting, their membership is terminated, except in those instances where the Advisory Committee has certified such absences. The Office of the City Clerk will advise a member of their termination via a registered letter after they have missed three consecutive meetings.

15. ADVISORY COMMITTEE COORDINATOR

- (1) The Coordinator of any Advisory Committee shall be designated by the City Clerk or designate; and be responsible to the Office of the City Clerk.
- (2) It shall be the duty of the Coordinator:
 - (a) to give notice of each meeting of the Advisory Committee together with an Agenda of the matters to be considered;
 - (b) to submit the reports to the Standing Committee and to Council, as the case may be;
 - (c) to record motions, resolutions, votes, a concise summary of public delegations and action to be taken on items through the preparation of meeting minutes in accordance with the Rules of Procedure;
 - (d) to provide procedural advice to the Committee Chair;
 - (e) to act as a link between the Committee and City departments; and
 - (f) to perform such other functions as may be required from time to time.

PART II – VOTING

16. SECRET BALLOT PROHIBITED

No vote shall be taken by ballot or by any other method of secret voting.

17. RECORDED VOTE

- (1) Any member, before the question is decided, may require that the vote be recorded.
- (2) Subject to Section 13, no vote shall be taken while the members are at an *in camera* meeting.
- (3) When a vote is taken, and no dissent is declared, such vote shall be deemed to be unanimously in favour of the question approved.
- (4) If a vote is to be recorded as herein provided, the Advisory Committee Coordinator shall call the vote, announce the division, and shall record them in the minutes.

18. ALL MEMBERS VOTE

- (1) Every member present at a meeting of the Committee when a question is put shall vote thereon, unless prohibited by statute, in which case it shall be so recorded.
- (2) Any member who refuses to vote shall be recorded as voting in the negative.

19. DISPUTING VOTE

If a member disagrees with the announcement of the Chair that a question is carried or lost, the member may, but only immediately after the declaration by the Chair, object to the Chair's declaration and require a recorded vote to be taken.

PART III – ORDER OF PROCEEDINGS – AGENDAS AND MINUTES

20. AGENDA IN COMMITTEE

- (1) The Coordinator shall have prepared and printed for the use of the members at the regular meetings of the Advisory Committee an Agenda setting forth the business to be considered at such meeting.

- (2) The business of the Advisory Committee shall be considered in the order set forth on the Agenda, provided however, that the Chair, with the approval of the Committee, may vary the order of business to better deal with matters before the Committee.
- (3) Except as otherwise decided by a two-thirds vote of the members of Committee present and voting, the Advisory Committee shall not consider any report, or any matter, that has not been listed on the Agenda.

21. DELIVERY OF AGENDA TO MEMBERS

- (1) Not less than seven calendar days in advance of each regular meeting of the Advisory Committee, the Advisory Committee Coordinator shall cause the following to be delivered to each member:
 - (a) Agenda;
 - (b) Copy of each item to be considered; and
 - (c) Copy of each motion to be considered.
- (2) Delivery pursuant to Subsection (1) shall be to the office or the residence of the member, or by electronic mail.

22. MINUTES

- (1) Minutes shall record:
 - (a) the place, date and time of meeting;
 - (b) the names of the presiding officer or officers and the record of the attendance of the members;
 - (c) declarations of interest;
 - (d) all the motions, resolutions or votes of the meeting without note or comment; and
 - (e) concise narrative of public delegations and action to be taken on items.
- (2) If the minutes have been delivered to the members, then the minutes shall not be read, and a resolution that the minutes be confirmed shall be in order.

- (3) After the minutes have been confirmed they shall be signed by the Chair and by the Advisory Committee Coordinator.

PART IV – RULES OF CONDUCT AND DEBATE

23. ADDRESS THE CHAIR

Any member desiring to speak shall signify their desire to speak in such a manner as the Chair may direct, and upon being recognized by the Chair, shall address the Chair.

24. PRIVILEGE

- (1) Where a member considers that the member's rights, immunities or integrity or the rights, immunities or integrity of the Advisory Committee as a whole has been impugned, the member may, as a matter of privilege, rise at any time, with the consent of the Chair, for the purpose of drawing the attention of the Committee to the matter.
- (2) Upon being recognized by the Chair, the member shall state the question of privilege.
- (3) The Chair shall:
 - (a) determine the question, or
 - (b) permit a debate and a vote to be held on the question.

25. POINTS OF ORDER

- (1) The Chair shall preserve order and decide points of order.
- (2)
 - (a) When a member desires to address a point of order, the member shall ask leave of the Chair to raise a point of order and, after leave is granted, the member shall state the point of order to the Chair and the point of order shall be forthwith decided by the Chair.
 - (b) Thereafter, a member shall only address the Chair for the purpose of appealing the Chair's decision to the Advisory Committee.
 - (c) If no member appeals, the decision of the Chair shall be final.

- (d) The Advisory Committee, if appealed to, shall call a vote, without debate on the following question “Shall the Chair be sustained?” and its decision shall be final.

26. UNPROVIDED CASES

- (1) In all unprovided cases in the proceedings of the Advisory Committee, the matter shall be decided by the Chair, subject to an appeal to the Committee.

PART V – RESOLUTIONS AND MOTIONS

27. MOTIONS

- (1) The following matters and motions with respect thereto may be introduced orally without notice and without leave, except as otherwise provided by the Rules of Procedure;
 - (a) a point of order or privilege;
 - (b) to adjourn; and,
 - (c) to extend the time of the meeting past 10:30 pm.
- (2) The following motions may be introduced without notice and without leave, except as otherwise provided by the Rules of Procedure:
 - (a) to refer;
 - (b) to postpone or defer to a certain day;
 - (c) to amend;
 - (d) to suspend the Rules of Procedure; and,
 - (e) any other procedural motion.
- (3) Except as provided in Subsection (1), all motions shall be in writing.
- (4) The mover may withdraw a motion or a Notice of Motion at any time prior to the commencement of debate thereon.
- (5) After a motion is read or stated by the Chair, it shall be deemed to be in possession of the Advisory Committee, and it may only be withdrawn before decision or amendment with the permission of the Advisory Committee.

- (6) Where a member is unable to submit their motion in writing, the Committee Coordinator may write the motion at the request of the member and display the motion to all members present at the meeting.

28. MOTIONS RULED OUT OF ORDER

- (1) Whenever the Chair is of the opinion that a motion or resolution is contrary to the Rules of Procedure, the Chair shall rule the motion or resolution out of order.
- (2) A motion or resolution which requires the exercise of a power or powers by the Advisory Committee which are not within its Terms of Reference, shall not be in order.

29. NOTICE OF MOTION

- (1) Notices of Motion shall be in writing and include the name of the mover.
- (2) Consideration of a motion, of which notice was given pursuant to this section, shall be in order at the next meeting of the Advisory Committee.
- (3) Prior to the Advisory Committee's consideration of a motion of which notice has been given previously, a revised motion on the same subject, approved by the mover, may be substituted for the original one contained in the Notice of Motion.

30. NO DEBATE UNTIL READ

No member shall speak to any motion until it is first read by the mover, Chair, or Coordinator, and the mover is entitled to speak first thereon if the member so elects. If debated, the question or motion may be read again before being put.

31. ORDER OF CONSIDERATION

- (1) When a question is under consideration, no motion shall be received except a procedural motion or a motion to amend.
- (2) Procedural motions shall be considered immediately upon receipt and shall have precedence and may be subject to debate as follows:
 - (a) to refer (debatable);
 - (b) to defer indefinitely or to a certain day (debatable);
 - (c) to adjourn (not debatable);

- (d) any other procedural motion (debatable); and,
- (e) to extend the time of the meeting past 10:30 pm.

32. AMENDMENT

A Motion to Amend:

- (1) shall be presented in writing;
- (2) only one Motion to Amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question;
- (3) shall be relevant and not contrary to the principle of the report, item or motion under consideration;
- (4) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter of the question;
- (5) shall be put in the reverse order to the order in which it is moved; and,
- (6) despite Subsection (5), any amendment(s) to a motion may be placed in order to be determined by the Chair as the most logical, practical and expeditious in all of the circumstances.