BY-LAW ON THE PLANNING ADVISORY COMMITTEE

NUMBER 1014

01-13-2026
Version 1.4

BY-LAW ON THE PLANNING ADVISORY COMMITTEE

NUMBER 1014

Notice of motion: April 03, 2017.

Coming into force: April 19, 2017.

NUMBER 1014-3

Notice of motion: December 08, 2025.

Coming into force: January 12, 2026.

AMENDED AND CONSOLIDATED VERSION

NOTICE

The consolidation of By-laws and annexes is not official. It has been compiled on January 13, 2026, by the Town Clerk's office to facilitate the reading of the text. The official text is to be found in the original By-law and in each of its amendments.

Amendments included in this version

Number	Purpose	Notice of motion	Coming into force
1014	Original By-law	April 03, 2017	April 19, 2017
1014-1	Amendment to section: 3.	July 04,2017	August 07, 2017
1014-2	Amendment to section: 3.13.	October 6, 2022	November 07, 2022
1014-3	Amendment to section: 3.8.	December 08, 2025	January 12, 2026

DIVISION 1 DECLARATORY PROVISIONS

Section 1.1 Title of the By-law

This By-law bears the title « By-law on the Planning Advisory Committee ».

Section 1.2 Interaction of the By-law

The present By-law forms an integral part of all urban planning By-laws in the sense that it is interrelated with all other urban planning By-laws adopted by the Town of Hampstead under the *Act respecting land use planning and development (chapter A-19.1).*

Section 1.3 Purpose of the By-law

The present By-law provides rules of internal management as a tool to help the Planning Advisory Committee carry out its functions, in particular those relating to its operation and governance.

Section 1.4 Repealing

This By-law repeals and replaces in its entirety, for all intents and purposes, By-law 743-4 and its amendments.

This repeal does not affect proceedings instituted under the authority of the By-laws so repealed, up to final judgment and execution.

Section 1.5 Territory affected

This By-law applies to the territory of the Town of Hampstead.

Section 1.6 Persons affected

All individuals and corporations under public or private law are subject to this By-law.

Section 1.7 Validity

The Council has adopted this By-law in its entirety, chapter by chapter, division by division, section by section, clause by clause, paragraph by paragraph, subparagraph by subparagraph and subsection by subsection, so that should a chapter, division, section, clause, paragraph, subparagraph or subsection of this By-law be declared null and void by an authorized body, the remainder of the By-law shall continue to apply, insofar as possible.

Section 1.8 Laws and regulations

Nothing in this By-law shall be construed as negating the obligation to comply with the laws and regulations of the provincial or federal government or other municipal By-laws or a regulation adopted by the Agglomeration Council.

Section 1.9 References

Any reference in this By-law to another By-law, law or standard shall be open, meaning that it shall extend to any amendments made to such By-law, law or standard subsequent to the entry into force of this By-law.

DIVISION 2 INTERPRETATIVE PROVISIONS

Section 2.1 Interpretation of the text

In the present By-law, the interpretation of the text must respect the following rules, unless otherwise indicated:

1. All provisions of the present By-law shall be considered to be in effect at all times and under all circumstances, irrespective of the verb tenses employed herein;

2. The verb « must » is used to mean an absolute obligation; the verb «may» is used to indicate option, except in the expression «may not» which means «must not»;

3. The singular of words is understood to include the plural and vice-versa, whenever the context so dictates;

4. The words “person” and “whoever” or “whomever” refers to any legal or natural person;

5. The masculine shall include the feminine unless otherwise indicated by the context;

6. The word «Town» refers to the Town of Hampstead.

Section 2.2 Incompatibility between provisions

In case of conflict between two provisions in this By-law, or between this By-law and another By-law, the specific provision shall prevail over the general provision.

When a restriction or a prohibition prescribed by this By-law or any of its provisions conflicts with, or is inconsistent with, another By-law or another provision of this By-law, the more restrictive or prohibitive provision shall apply, unless otherwise indicated.

Section 2.3 Terminology

In this By-law, unless the context indicates otherwise:

- “Committee” means the Planning Advisory Committee of Town of Hampstead;
- “Council” means the Council of Town of Hampstead.

All the words used in the present By-law keep their usual meaning except for those defined in chapter 3 of the Permits and Certificates By-law which are applicable for this By-law.

DIVISION 3 ADMINISTRATIVE PROVISIONS

Section 3.1 Creation of a Planning Advisory Committee

A planning advisory committee is created with the name “Planning Advisory Committee of Town of Hampstead”.

Section 3.2 Composition of the committee

The committee is comprised of seven members, namely:

1. A Council member, who acts as chair;

2. Five members chosen from among Town residents for their educational background and expertise in the fields of urban planning, architecture, engineering, or landscape architecture. These individuals shall be members of the Ordre des architectes du Québec, the Ordre des urbanistes du Québec, the Association des architectes paysagistes du Québec, or any other relevant order. Of the professional members, at least three shall be architects, Engineers or Urban Planners.

3. A citizen residing in Town of Hampstead (or) a second Council member.

Section 3.3 Recruitment of members

New members shall be recruited by publishing a public notice.

Section 3.4 Appointment

The Committee members are appointed by resolution of the Council.

Section 3.5 Term of office

The term of office of appointed committee members (excluding Council members) is two years after the adoption of their appointment by resolution of Council. Every subsequent term of office is two years. To maintain a degree of stability within the committee, every attempt shall be made to replace two of the committee members in even years, and the other three members in odd years.

Once a member has been replaced, he or she can apply again for another term, but only 1 year after the end of their term. This process can be repeated any number of times.

The term of office of the Council member(s) is indefinite and at the discretion of the Mayor, or a majority of Council.

A committee member who is a Council member ceases to be a committee member if he ceases to be a Council member.

By resolution of Council, the term of any committee member other than the Council member may be renewed any number of times and is revocable at any time, conforming to the other provisions of the present article.

Section 3.6 Absence

A member who is absent for more than three consecutive meetings, without valid justifications (other than special meetings) is considered to have resigned from his position, and his seat becomes vacant.

Notwithstanding the above, if any member is to miss more than three consecutive meetings for a specific reason, the Chairman of the Committee has the authority to grant said member the opportunity to remain on the committee, if it is deemed the reasoning is unique in nature and not recurring.

In addition, a member who is absent for more than 50% of the meetings during the same year is relieved of his duties and his seat becomes vacant.

Section 3.7 Resignation

If a seat becomes vacant due to a resignation, death or any other reason, Council appoints a replacement to fill the vacant position for the remainder of the term. The replacement may be recruited by publishing a public notice.

Section 3.8 Resource person

The committee shall appoint as a resource person the Director General or the head of the Town of Hampstead Urban Planning and Inspection Division and any other employee identified by the latter.

Any person appointed by the Town may take part in the activities of the Planning Advisory Committee as an expert. The resource persons are not members of the committee and do not have the right to vote, with the exception of the Mayor.

The Director General may attend the meetings of the committee *ex officio*.

The mayor may attend the meetings of the committee *ex officio* and, when present, he will automatically assume the chair of the meeting.

(1014-3, Sec. 1, 01/12/2026)

Section 3.9 Secretary of the Planning Advisory Committee

The head of the Town of Hampstead Urban Planning and Inspection Division or his representative acts as Committee secretary.

The secretary calls the Committee meetings. He is responsible for preparing the agendas, drafting the minutes of Committee meetings, handling correspondence, and following up on files.

Section 3.10 Meetings

The meetings of the Committee are generally held at Town Hall on the second Monday of every month, beginning at 5:30 PM.

The committee is required to meet a minimum of 12 times a year. At the beginning of each year, the Committee secretary prepares a meeting schedule and forwards it to the members.

Sittings are *in camera* at all times. However, any person whose presence could be useful for properly understanding a project or assessing its impact on its surrounding environment may meet with the committee. Although such persons may share with the committee the information at their disposal, they may not be present during deliberations.

Section 3.11 Special meetings

If circumstances warrant, the Committee secretary may call a special meeting.

Section 3.12 Quorum

For meetings, including special meetings, quorum is obtained when at least three voting members of the Committee are present, one of which must be an Architect, Engineer or Urban Planner.

Section 3.13 Remuneration

The Town Council shall pay a fee of 250$ to each member of the committee for each meeting at which such member participates. The Town Council members who sit on the committee will not receive the fee for their participation. Furthermore, the Town Council shall pay for the cost of meals offered to the members during the meeting.

(1014-1, Sec. 1, 08/17/2017), (1014-2, Sec. 1, 11/07/2022)

DIVISION 4 FUNCTIONS, DUTIES, AND POWERS

Section 4.1 Functions

The Committee is responsible for:

1. reviewing and submitting to the Council recommendations on all applications relating to minor exemptions, comprehensive development programmes, and site planning and architectural integration programmes;

2. reviewing and submitting to the Council recommendations on draft By-laws to amend the Planning Program, and, as the case may be, Zoning By-law, Subdivision By-law, and the By-law concerning minor exemptions;

3. reviewing and submitting to the Council recommendations on all urban planning, zoning and subdivision matters referred by the municipal Council.

Section 4.2 Recommendations of the Committee

Each member of the committee has one vote.

Each member must vote unless he is prevented therefrom by reason of his interest in the matter concerned.

The decisions of the committee are taken by the majority of the votes of the members present. In the event of a tie-vote, the chair has the deciding vote.

Precise and concise reasons shall be provided for any negative recommendation of the Committee or of a Committee member.

The recommendations of the Committee are submitted to Council for decision.

The Council preserves the privilege to revise the recommendations of the Committee.

Section 4.3 Standards of professional conduct

The Committee members shall act with courtesy and professionalism and shall protect the confidentiality of personal information.

The rules of confidentiality apply to the Committee members both during their term in office and after their term in office have ended.

The committee members shall:

1. Carry out their duties in the public interest and take all necessary action to assert this interest;

2. Assume their functions in conformance with the applicable laws, in particular the By-laws and regulations in effect in Town of Hampstead;

3. Carry out their functions and duties with integrity, dignity, and impartiality;

4. Not take part in any activity incompatible with their functions, avoid any conflict of interest, and prevent any situation likely to call into doubt their objectivity or impartiality;

5. Refuse to take part in Committee meetings regarding any case when they are aware of a reason for them not to take part;

6. As soon as they realize they are in a real or apparent conflict of interest situation, inform the Committee ~~chair~~ and not take part in discussions and recommendations related to the case.

Section 4.4 Standards of ethics

The Committee members shall:

1. Help maintain and defend the good reputation of the Committee, Council and Town;

2. Be available and demonstrate due diligence and a complete willingness to cooperate in carrying out the mandates given to the committee;

3. Demonstrate respect and courtesy in their relationships with other persons;

4. Seek to build a relationship of trust toward themselves and with the other members and resource persons;

5. Comply with the legal and administrative rule governing the decision-making process.

Section 4.5 Conflict of interest

A committee member may not vote, take part in debates, take a position or express his opinion regarding a subject in which he has or may have an interest or the appearance of an interest and, more specifically and without restricting the generality of the following, in which:

1. He has an immediate family relationship with the applicant;

2. He has a personal, professional or other interest in whether the application, directly or indirectly, current or future, is accepted or refused;

3. The fulfillment of duties and obligations toward the public interest is compromised.

In such cases, the member shall disclose his interest and leave the meeting for the entire duration of the deliberations and vote on the application.

However, a member may submit a case to the committee like any other professional but must leave the meeting during the deliberations.

Section 4.6 Demeaning practices

The following practices are considered demeaning to the dignity of a committee member:

1. The act of disclosing or commenting on any information or document from the Committee, unless such information or document has been made public by the relevant authority;

2. The act, in carrying out his activities as a member, of knowingly committing or taking part in the commission of an illegal or fraudulent act;

3. The act of colluding with any other individuals or corporations under public or private law in order to obtain, directly or indirectly, an advantage, a benefit, or any type of gratuity for himself or another person;

4. The act of unduly penalizing or favouring or of encouraging a member to penalize or favour the project or application, or any natural or artificial person who submits a project or application, other than due to its advantages, disadvantages, or impact on the Town;

5. The act of taking part in the study of a case in which he knows he has a conflict of interest.

Section 4.7 Values

This document shall be reviewed regularly to ensure that it properly reflects values based on integrity, prudence in serving the public interest, respect toward employees, Town elected officials, and citizens, loyalty to the municipality, the pursuit of fairness, and honour.

Section 4.8 Compliance

Each member must comply with the present By-law on the Planning Advisory Committee by signing a document to this effect.

DIVISION 5 COMING INTO FORCE OF THE BY-LAW

Section 5.1 Coming into force

This By-law shall come into force according to the law.

(s) Jeremy Levi
Jeremy Levi, Mayor

(s) Poovadee Permal-Vardin
Poovadee Permal-Vardin, Town Clerk