

BANFF LAND USE BYLAW

3.2.0 MUNICIPAL PLANNING COMMISSION (MPC)

3.2.1 The Municipal Planning Commission (MPC) is hereby established.

3.2.2 The MPC shall consist of eight members being two Councillors, five members of the public, and one person nominated by the Federal Minister. The Director of Environmental Services or the Director of Community Services will be appointed as a non-voting member. The members of the MPC shall be appointed by resolution of Council at the annual organizational meeting of Council. A person may be reappointed on the expiry of each one-year term, to the maximum number of years as provided in the Town of Banff Committee Policy, provided the person is otherwise eligible.

3.2.3 No member of Council nor any employee of the Town, except as specifically allowed in s.3.2.2, shall be eligible to be a member of the MPC.

3.2.4 A member of the MPC is not disqualified from participating in a decision of MPC by reason only of his being an employee of the Government of Canada, or an agency thereof.

3.2.5 If at any time, through resignation, death or otherwise, a vacancy occurs on the MPC, the Council shall appoint a person to fill that vacancy for the balance of the term. When appointing a person to fill a vacancy, the Council shall be bound by the restrictions placed upon the original appointment.

3.2.6 The MPC shall elect its own chairman and another member as vice-chairman. In the absence of the chairman, the vice-chairman shall act as chairman. In the absence of both, the MPC shall elect a chairman for that meeting.

3.2.7 The MPC will meet at the call of the chairman or vice-chairman.

3.2.8 Four members present at the meeting shall constitute a quorum.

3.2.9 Notwithstanding any vacancy or abstention on the MPC, the remaining members may exercise and perform the duties of the MPC, provided the quorum is maintained.

3.2.10 The MPC shall:

- (a) decide upon all development permit applications referred to it by a Development Officer;
- (b) decide upon all applications for subdivision approval;
- (c) make recommendations to Council in respect of applications to amend this Bylaw;
- (d) provide an opinion to a Development Officer with respect to an application referred to it pursuant to s.3.1.2(b); and
- (e) perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

3.2.11 The MPC is not required to hear any representations with respect to any matter over which it makes a decision or recommendation.

3.2.12 The MPC shall deliberate and reach its decision in private. In arriving at its decision, the majority vote of those members present shall constitute the decision of the MPC. If the vote results in a tie, the motion is rejected.