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Baie-D'Urfe!

**BY-LAW CONSTITUTING THE
PLANNING ADVISORY
COMMITTEE - TPAC**

NO 1117

PROVINCE OF QUEBEC
TOWN OF BAIE-D'URFÉ

BY-LAW NO. 1117

BY-LAW CONSTITUTING THE
PLANNING ADVISORY COMMITTEE -
TPAC

NOTICE OF MOTION: NOVEMBER 18, 2025

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Amendments to the By-law

By-law Number	Effective Date

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

TABLE OF CONTENTS

TABLE OF CONTENTS

CHAPTER 1: DECLARATORY AND INTERPRETATIVE PROVISIONS	2
Article 1: Declaratory provisions	2
[1.] Title of the by-law	2
[2.] Replacement	2
[3.] Purpose of the by-law	2
Article 2 : Interpretative provisions	2
[1.] Terminology	2
CHAPTER 2: THE PLANNING ADVISORY COMMITTEE	3
Article 3 : COMPOSITION OF THE PLANNING ADVISORY COMMITTEE	3
[1.] Constitution du comité	3
[2.] Composition of the committee	3
[3.] Appointment of a member	3
[4.] President and Vice-President	3
[5.] Secretary of the Committee	4
[6.] Term of office and vacancies	5
[7.] Replacement of a member	5
[8.] Contact persons	6
Article 4: Functions of the Committee	7
[1.] Committee's Mandate	7
[2.] Local Heritage Council (LHC)	7
[3.] Internal Management Policy	7
[4.] Call for a committee meeting	8
[5.] Applications and files processed	8
[6.] Quorum	8
[7.] Behind closed doors and confidentiality	9
[8.] Conflict of interest	9
[9.] Recommendations and advice	9
[10.] Minutes of the committee meeting	10
[11.] Document Archive	10
CHAPTER 3 : FINAL PROVISIONS	11
Article 5 : Coming into force	11
[1.] Coming in to force	11
APPENDIX « 1 »	12

CHAPTER 1: DECLARATORY AND INTERPRETATIVE PROVISIONS

Article 1: Declaratory provisions

[1.] Title of the by-law

This By-Law bears the title "By-Law Constituting the Planning Advisory Committee – TPAC" and the number 1117.

[2.] Replacement

This By-law replaces by-law number 938, entitled "Planning Committee", as amended by all its amendments and any other irreconcilable provision of another by-law.

[3.] Purpose of the by-law

The purpose of this bylaw is to establish an urban planning advisory committee in accordance with the provisions of the Act respecting land use planning and development (RLRQ, c. A-19.1), to determine its composition, mandate, and operating rules.

Article 2 : Interpretative provisions

[1.] Terminology

Unless otherwise specified or unless the context indicates a different meaning, the words and expressions used in these regulations have the meaning assigned to them in Regulation No. 1109 entitled "By-Law on the administration of urban planning by-laws and the issue of permits and certificates."

If a word or expression is not defined therein, it shall be interpreted according to its common meaning as indicated in the dictionary.

CHAPTER 2: THE PLANNING ADVISORY COMMITTEE

Article 3 : COMPOSITION OF THE PLANNING ADVISORY COMMITTEE

[1.] Constitution du comité

The *Urban Planning Advisory Committee* of the Town of Baie-D'Urfé, hereinafter referred to as "the Committee," is hereby established in accordance with the *Act respecting land use planning and development (RLRQ, c. A-19.1)*.

[2.] Composition of the committee

The Committee is composed of the following individuals:

- a) Two (2) members of the Council of the Town;
- b) Five (5) other members, residents of the Town, appointed by resolution of the city council;

All members of the Committee must be residents of the City, in accordance with section 146 of the Land Use Planning and Development Act (RLRQ, c. A-19.1).

The mayor is an ex officio member of the Planning Advisory Committee.

She may attend any meeting of the Committee, participate in it, and make comments, but does not have the right to vote.

The city manager may attend any meeting of the Planning Advisory Committee. He or she has an advisory role, without the right to vote.

[3.] Appointment of a member

The appointment and renewal of the term of office of any member of the Committee, whether elected or resident, shall be carried out by resolution of the municipal council.

[4.] President and Vice-President

The municipal council appoints a chair and vice-chair from among the members of the committee who are also members of the municipal council.

In the absence of the chair, the vice-chair assumes his or her duties.

CHAPTER 2 :
THE PLANNING ADVISORY COMMITTEE

In the absence of both the chair and vice-chair at a meeting, the substitute member, who is also a member of the municipal council, sits in place of one of them and chairs the meeting.

The chair shall perform the following duties, among others:

- a) Confirm the quorum and ensure that it is maintained throughout the meeting;
- b) Opening and closing the meeting;
- c) Read and adopt the agenda;
- d) Call up the files and questions submitted for consideration by the Committee;
- e) Chair discussions and ensure order and decorum are maintained; sign, when required, documents issued by the Committee.

[5.] Secretary of the Committee

The Director of Sustainable Urban Planning shall designate a member of his or her staff to act as secretary of the Committee.

The secretary shall not be a member of the Committee and shall not have the right to vote.

The secretary shall perform the following duties, among others:

- a) Convene Committee meetings in accordance with the Chair's instructions;
- b) Prepare the agenda and send it to members along with the documents under consideration;
- c) Take minutes of each meeting;
- d) Forward to the clerk's office, for the municipal council, the committee's recommendations, opinions, consultation reports, and other official documents;
- e) Obtain, when required, the appropriate signatures on Committee documents;
- f) Ensure the preservation of the minutes and other official documents of the Committee.

CHAPTER 2 :
THE PLANNING ADVISORY COMMITTEE

[6.] Term of office and vacancies

The term of office for Committee members who are members of the municipal council, including the alternate member, is two (2) years and may be renewed by resolution of the municipal council.

When appointing the first members of the Committee who are not members of the municipal council, two (2) shall be appointed for a term of one (1) year and three (3) shall be appointed for a term of two (2) years.

Thereafter, the term of office of members who are not members of the municipal council shall be two (2) years and may be renewed by resolution of the municipal council.

A member's term of office shall terminate prematurely in any of the following cases:

- a) When the member resigns;
- b) When the member loses their status as a member of the municipal council, in the case of a member appointed to that position;
- c) When the member ceases to reside within the territory of the City, in the case of a member who is not a member of the municipal council;
- d) When the member is absent from three (3) consecutive Committee meetings without reasons deemed satisfactory by the municipal council;
- e) When the member is removed from office by resolution of the municipal council;
- f) When the member dies or becomes unable, for any reason, to perform their duties;
- g) In the event of a breach of the obligations set out in the *Code of Ethics and Professional Conduct applicable to members of the Committee*.

[7.] Replacement of a member

The municipal council must fill any vacancy on the Committee within three (3) months of the date on which the vacancy is noted.

When a vacancy occurs among Committee members who are not members of the municipal council, the council shall appoint, by resolution, a new member for the remainder of the term of office of the person being replaced.

CHAPTER 2 :
THE PLANNING ADVISORY COMMITTEE

When a vacancy occurs among municipal council members sitting on the Committee, including the alternate member, the municipal council shall make a new appointment in accordance with this bylaw.

[8.] Contact persons

The municipal council may, by resolution, appoint a resource person to the Committee whose services are deemed necessary to assist it in studying files raising specific issues, for such period as it deems appropriate.

The Committee may also, when participation does not involve any remuneration, invite any resource person to advise it on a matter within its jurisdiction.

The Committee may also receive and hear requests and suggestions from any other person on any matter within its mandate.

Resource persons are not members of the Committee and do not have the right to vote.

Article 4: Functions of the Committee

[1.] Committee's Mandate

The mandate assigned to the Committee by the municipal council consists of reviewing matters within its jurisdiction and formulating, in accordance with the regulations in force:

- a) Recommendations to the municipal council, at its request, on any matter relating to urban planning, zoning, subdivision, or construction;
- b) Notices regarding minor exemption requests (dérogation mineure);
- c) Notices on comprehensive development plans (CDPs) and site planning and architectural integration plans (SPAIPs);
- d) Notices to the municipal council concerning any other matter provided for in the *Act respecting land use planning and development* (RLRQ, c. A-19.1).

When reviewing a case, the Committee takes note of the recommendation of the Sustainable Urban Planning Department before formulating its opinion or recommendation to the municipal council.

The Committee submits its recommendations and opinions on the applications and cases referred to it to the municipal council.

The municipal council must take note of these recommendations and opinions, but is not required to endorse them.

[2.] Local Heritage Council (LHC)

The Urban *Planning Advisory Committee* (TPAC) is also designated as the *Local Heritage Council* (LHC) for the Town of Baie-D'Urfé, responsible for carrying out the mandates entrusted to it by the municipal council in accordance with the *Cultural Heritage Act* (RLRQ, c. P-9.002) and applicable regulations.

In this role, the Committee acts in an advisory capacity to the municipal council on all matters relating to the conservation, enhancement, or protection of cultural and architectural heritage.

[3.] Internal Management Policy

The Committee may establish internal operating rules, subject to the provisions of these rules of procedure.

CHAPTER 2 :
THE PLANNING ADVISORY COMMITTEE

[4.] Call for a committee meeting

Committee meetings are convened by the secretary by means of a notice sent to each member at least three (3) days before the date set for the meeting.

The notice of meeting may be sent by email, telephone, or any other means deemed appropriate.

At the request of the municipal council or in case of emergency, the meeting may be convened within less than three (3) days.

In the absence of the secretary, the notice of meeting shall be sent to the members by the person designated to replace him or her.

[5.] Applications and files processed

During a meeting, the Committee may only deliberate on requests and files forwarded or submitted for its review in accordance with the regulations in force or at the request of the municipal council.

The files dealt with by the Committee must fall within its jurisdiction and concern recommendations or opinions provided for in the *Act respecting land use planning and development* (RLRQ, c. A-19.1) or any other applicable regulation.

However, a request or file may be added to the agenda during the meeting at the request of a committee member or the administration, with the consent of the majority of members present.

The Committee may not deal with complaints, inspections, or administrative interventions falling within the purview of municipal staff.

[6.] Quorum

The quorum of the Committee shall consist of four (4) members, including at least one (1) member of the municipal council.

If a quorum is not present at the opening of a meeting or is not maintained throughout the meeting, no deliberations, recommendations, or opinions may be issued by the Committee.

The Committee's decisions are taken by a majority vote of the members present.

CHAPTER 2 :
THE PLANNING ADVISORY COMMITTEE

[7.] Behind closed doors and confidentiality

The Committee meets in closed session. However, it may, on its own initiative or on the recommendation of the Sustainable Urban Planning Department, invite a person to present their application or file.

The invitation is sent by the Committee secretary to the person concerned, who is not, however, required to attend.

Committee members are bound to discretion with regard to recommendations, opinions, documents, or information that come to their knowledge in the course of their duties, until the municipal council has ruled on the file or application.

Subject to the *Act respecting Access to documents held by public bodies and the Protection of personal information* (RLRQ, c. A-2.1), all information brought to the Committee's attention is confidential.

[8.] Conflict of interest

Under the *Code of Ethics and Professional Conduct of the Planning Advisory Committee* appended to these bylaws (Appendix "1"), a member or alternate member must disclose to the Committee any personal interest, direct or indirect, in a project submitted for its consideration.

The secretary of the Committee shall record this declaration in the minutes of the meeting and indicate that the member concerned withdrew from the room for the duration of the discussions and decision concerning the application or file in question.

The secretary shall also record in the minutes the time of the member's withdrawal and the time of his or her return to the meeting.

The provisions of the *Act respecting elections and referendums in municipalities* (RLRQ, c. E-2.2) apply to Committee members who are also members of the municipal council.

[9.] Recommendations and advice

A recommendation or opinion of the Committee shall be adopted by a simple majority of the members present at the meeting.

The chair of the Committee may exercise his or her right to vote, but is not required to do so, except in the event of a tie. When votes are equally divided, the Committee's decision is deemed to be unfavorable to the application or file.

CHAPTER 2 :
THE PLANNING ADVISORY COMMITTEE

Each recommendation or opinion of the Committee relating to an application or file must state the reasons justifying the recommendation or opinion, whether favorable or unfavorable.

The minutes of the Committee, including the recommendations and opinions adopted, must be signed by the chair and secretary of the Committee who participated in the meeting.

The recommendations and opinions of the Committee are forwarded to the municipal council in the form of minutes.

[10.] Minutes of the committee meeting

Minutes are taken for each Committee meeting by the secretary.

The minutes record the recommendations, opinions, and other items discussed at the meeting.

They are signed by the Committee chair and secretary who attended the meeting.

The minutes shall be forwarded to the municipal council as an administrative report before being officially adopted by the Committee.

The adoption of the minutes by the Committee at the next meeting is solely for the purpose of confirming their accuracy and does not affect the validity of the recommendations already forwarded to the municipal council.

The adopted minutes shall be kept in the archives of the Urban Planning Department.

[11.] Document Archive

The City remains the owner of all minutes, documents, and official records produced, received, or retained by the Committee.

These documents are kept by the Sustainable Urban Planning Department for day-to-day management purposes and are retained in accordance with the City's document management policies and retention schedule, under the supervision of the City Clerk's Office.

CHAPTER 3 : FINAL PROVISIONS

Article 5 : Coming into force

[1.] Coming in to force

This By-law comes into force in accordance with the law.

Heidi Ektvedt, Mayor

Marie-Hélène Brunet, Clerk

APPENDIX « 1 »

CODE OF ETHICS AND PROFESSIONAL CONDUCT OF THE URBAN PLANNING ADVISORY COMMITTEE

This policy applies to all members of the urban planning advisory committee (hereinafter “the committee”).

Duties of the Secretary and Chair of the Committee

The committee secretary, acting on behalf of the City, ensures that this code is enforced.

He or she ensures that members understand its implications and that it is applied rigorously and fairly.

The secretary and the committee chair jointly ensure compliance with procedures and internal governance rules.

In particular, the chairperson ensures that meetings are conducted in a climate of respect and decorum, in which each member can express themselves freely and fairly.

Member's duties to the public

Committee members must perform their duties in the public interest and take all necessary measures to ensure that the public interest prevails. They must carry out their duties and responsibilities with integrity, dignity, and impartiality, in accordance with applicable legislation, including municipal regulations. To this end, they must ensure that they avoid any conflict of interest and refuse any gratuity from an applicant.

Member's duty to the committee

To ensure the Committee functions effectively, members must be available, diligent, and fully cooperative in carrying out the mandates entrusted to the Committee. They must be respectful and courteous in their dealings with others and seek to establish relationships of trust with other members and resource persons

Members undertake to contribute in good faith to the work of the Committee and to respect decisions taken collectively.

Member's duty toward the municipal administration

Committee members must at all times demonstrate respect, courtesy, and decorum in their dealings with City employees.

APPENDIX 1

The member recognizes that the municipal administration acts under the authority of the municipal council and is responsible for enforcing the laws, regulations, and policies in force.

Members shall refrain from interfering in administrative functions, directly intervening with employees regarding matters under consideration, or engaging in any behavior that could interfere with the impartial exercise of their duties.

Members shall promote respectful collaboration with municipal staff, while respecting each other's roles and responsibilities.

Member's duties towards applicants

Committee members must ensure that all projects submitted to the Committee are analyzed carefully, professionally, and objectively. Members therefore undertake to act with honesty and impartiality.

Finally, members must ensure the confidentiality of projects submitted for analysis by the Committee. They therefore undertake not to disclose any information or documents relating to an application or file under review, unless such information or documents have been made public by the applicant or by the Council.

This confidentiality obligation extends to the Committee's internal documents, exchanges, and discussions.

CONFLICT OF INTEREST

Disclosure of interest

When a member or their office has held preliminary discussions with a property owner regarding a project under review by the Committee, or has submitted preliminary plans or an offer of services for the project, or has a business relationship with the applicant, the member must disclose this potential conflict of interest as soon as possible.

The secretary, in collaboration with the Committee chair, assesses the situation and informs the member whether they must withdraw from the meeting for the duration of the discussions and decision on the matter.

Connection with the applicant

When a member or their office submits plans on behalf of a client for the purpose of obtaining a permit, the member must disclose their interest and withdraw from the Committee meeting during the review of the file.

The member may only attend the project presentation at the express request of the Committee, in order to provide technical clarifications or additional information on the application, if necessary.

Link following a completed project

When a member or former member, while serving on the Committee, has reviewed an application for a permit or certificate, and is subsequently contacted by the applicant or their office to produce plans or review the project following an unfavorable recommendation by the Committee, they must refuse the mandate if less than one (1) year has elapsed since the Committee's recommendation.

During this period, the member, former member, or their office may not accept a mandate for a project that has already been submitted to the Committee for review.