

AGENDA
PLANNING ADVISORY COMMITTEE
SPECIAL MEETING

Date: **Wednesday, April 15, 2026, 5:30 p.m.**

Location: **Council Chamber and Via Web Conferencing**

1. NEW BUSINESS

Terms of Reference for the Planning Advisory Committee

2. ADJOURNMENT

ORDRE DU JOUR
COMITÉ CONSULTATIF SUR L'URBANISME
RÉUNION SPÉCIALE

Date : **le mercredi 15 avril 2026, 17 h 30**

Endroit : **salle du conseil municipal et participation via conférence web**

1. AFFAIRE NOUVELLE

Mandat du Comité consultatif sur l'urbanisme

2. LEVÉE DE LA SÉANCE

To: Rodney Blanchard and Members of the Planning Advisory Committee
From: Fredrick Van Rooyen, Senior Planner
Date: April 10, 2026
Subject: **Repeal of the PAC Constitution, Adoption of PAC Terms of Reference, and Recommendation to Amend By-law No. Z-3**

I. INTRODUCTION

At the February 18, 2026, Planning Advisory Committee (PAC) meeting, the following motion was passed:

BE IT RESOLVED THAT Pursuant to Section 27 of the Planning Advisory Committee Constitution, notice of motion is hereby given to repeal the Planning Advisory Committee Constitution adopted on October 27, 1976, as amended, and be replaced with the attached proposed Terms of Reference document for the Planning Advisory Committee.

The motion to repeal the Planning Advisory Committee Constitution and adopt Terms of Reference for the Planning Advisory Committee will be considered at a special meeting of the PAC called for this purpose to be held on Wednesday, April 15, 2026 at 5:30pm in the Council Chambers, City Hall.

As the PAC Constitution has not been amended since 2016, it is important that the document be updated and modernized to reflect current practices, policies, and procedures. The proposed Terms of Reference also provides an opportunity to be more consistent with other City committees. While many of the foundation pieces of the existing PAC Constitution remain, the proposed Terms of Reference re-organizes and structures the document through clear headings and sections to make the document easier to navigate. The proposed Terms of Reference have been prepared in consultation with the Office of the City Solicitor.

In addition to the proposed Terms of Reference, administrative amendments to By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton, are also being advanced.

II. PROPOSED AMENDMENTS

The proposed Terms of Reference are structured with the following sections:

1. Name
2. Guiding Principles
3. Mandate
4. Composition
5. Officers
6. Role of City Staff
7. Governance
8. Conduct of PAC Members and the Public
9. Amendment

The Terms of Reference also includes two schedules:

Schedule "A": outlines the responsibilities of the chair, vice-chair, and secretary.

Schedule "B": outlines PAC Public Meeting Decorum.

As a high level summary, the main amendments from the existing PAC Constitution to the proposed Terms of Reference including the following:

- General: Headings/sections to better organize the Terms of Reference and make the document more user friendly;
- Section 2: Additional language regarding the guiding principles, ensuring decisions and recommendations are consistent with applicable planning documents;
- Section 3: Ensuring the mandate is consistent with the current *Community Planning Act*;
- Section 7: Attending and voting via electronic communication (i.e. via Zoom, subsection 7.1(2) and 7.6(2));
- Section 7: The chair may limit public presentations to the PAC to a max 10 minutes (subsection 7.2(5) – currently this is just at the chair's discretion and no time is specified in the Constitution, this brings the time more aligned with Council);
- Section 7: If the PAC intends to adopt a motion inconsistent with the professional planning recommendation made by Planning staff, PAC shall provide reasons for its decision on the record before the vote (subsection 7.6(6));
- Section 8: Ensuring public members of the PAC abide by the City Committee Code of Conduct Policy and City Council members of the PAC abide by By-law No. A-22, A By-law Establishing a Code of Conduct for Members of City Council of the City of Fredericton; and
- Schedule "B": Establishes a PAC Public Meeting Decorum to ensure that the meeting is conducted in a respectful manner. This is applicable to applicants, their agents, and members of the public.

In staff's opinion, the proposed Terms of Reference create a more modern and user friendly document that reflect current practices, policies, and procedures.

In conjunction with the proposed PAC Terms of Reference, administrative amendments to By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton, are also being advanced. These amendments primarily look to ensure that the by-law is referencing the current *Community Planning Act* and repeals sections that are no longer applicable or are already covered under other legislation. Currently, By-law No. Z-3 references the 1973 version of the *Community Planning Act*, whereas the current version is from 2017 (subsection 1.01 of the By-law). Further, subsections 1.02, 1.03, and 1.04 would be repealed. Subsection 1.02 speaks to PAC appointments and having the majority of the members not being Council members, which is already governed under the *Community Planning Act*. Subsection 1.03 speaks to adoption of a Constitution and 1.04 speaks to reviewing the Constitution. These are no longer applicable or required given the proposed Terms of Reference.

III. **RECOMMENDATION**

It is recommended that the following motion be considered by the Planning Advisory Committee:

Motion # 1

BE IT RESOLVED THAT the Planning Advisory Committee of the City of Fredericton hereby rescinds the Planning Advisory Committee Constitution adopted January 20, 2016; and

BE IT FURTHER RESOLVED THAT the Planning Advisory Committee of the City of Fredericton hereby receives, approves and adopts the Terms of Reference dated April 15, 2026 as attached;

Motion #2

BE IT FURTHER RESOLVED THAT the Planning Advisory Committee of the City of Fredericton recommends that By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton, be amended by repealing and replacing Section 1.01 to reflect the current *Community Planning Act*, and that Sections 1.02, 1.03 and 1.04 be repealed, as attached.

It is recommended the following motion be considered by the Planning Advisory Committee and be forwarded to City Council for consideration:

Motion # 3

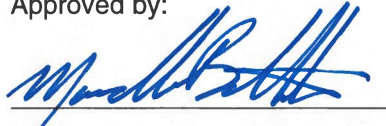
BE IT RESOLVED THAT the Council of the City of Fredericton hereby receives the recommendation of the Planning Advisory Committee to amend By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton by repealing and replacing Section 1.01 to reflect the current *Community Planning Act*, and that Sections 1.02, 1.03 and 1.04 be repealed.

Prepared by:



Fredrick Van Rooyen, RPP, MCIP
Senior Planner, Community Planning

Approved by:



Marcello Battilana, RPP, MCIP
Assistant Director, Planning & Development

April 15, 2026

PLANNING ADVISORY COMMITTEE

1. NAME

- 1.1 The Planning Advisory Committee may also be referred to as the PAC.

2. GUIDING PRINCIPLES

- 2.1 PAC serves the public interest of the community at large, and must act in a conscientious and diligent manner, approaching decision-making with an open mind.
- 2.2 PAC makes decisions and recommendations consistent with By-Law No. Z-6, A By-law to Adopt a Municipal Plan for the City of Fredericton, as amended, and secondary municipal plans adopted by City Council, as amended.

3. MANDATE

- 3.1 The City of Fredericton provides its own land use planning service and has adopted a by-law establishing a PAC pursuant to the *Community Planning Act*, SNB, 2017 c. 19, as amended, (the "Act") being By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton, as amended, (the "By-law").
- 3.2 The PAC shall carry out the duties assigned to it under the Act and any by-law adopted pursuant to the Act.
- 3.3 The PAC is a quasi-judicial body.
- 3.4 The PAC provides recommendations to City Council on planning matters where City Council is the decision maker. The PAC is a decision making body on certain planning matters that are assigned to the PAC under the Act.
- 3.5 The PAC receives, processes and makes decisions on some applications for variances from the provisions of By-law No. Z-5, A Zoning By-law for the City of Fredericton, as amended, consistent with the Act.

4. COMPOSITION

- 4.1 The PAC shall consist of members appointed by City Council pursuant to the By-law.
- 4.2 The length of an appointment or term of office for PAC members shall be in compliance with and as prescribed by the Act.
- 4.3 City Council may remove a PAC member by resolution.

4.4 PAC members are volunteers and serve without remuneration.

5. OFFICERS

5.1 The PAC shall elect the chair and vice-chair at its annual general meeting or, in the event of a vacancy at any meeting of the PAC.

5.2 Pursuant to the Act, the chair and vice-chair shall serve for a term of one (1) year and are eligible for re-election or re-designation as prescribed by the Act.

5.3 The chair and vice-chair shall not be members of City Council.

5.4 The chair shall preside at all meetings and in their absence the vice-chair and in case both being absent, the PAC members present shall choose one of the members to act as chair.

5.5 In the case of death, resignation, disqualification or absence of the chair, the vice-chair shall carry out the duties of the chair.

5.6 The PAC shall appoint a secretary at its annual general meeting.

5.7 In the case of death, resignation, disqualification or absence of the secretary, any City staff person may carry out their duties.

5.8 The responsibilities of the chair, vice-chair, and secretary are outlined in the attached Schedule "A".

6. ROLE OF CITY STAFF

6.1 Planning staff provide a professional planning recommendation on planning applications before the PAC, in the form of a planning report or memorandum, and provide any support or advice required by the PAC.

6.2 NOTIFICATION

Not later than ten (10) business days prior to a regular or special meeting, City staff shall endeavour to issue a written notice to all property owners who have an interest in any property located not less than:

- (a) In the case of an application for a Municipal Plan amendment, rezoning, zone amendment, subdivision, or similar use variance, one hundred (100) metres from the boundaries of the subject property; or,
- (b) In the case of an application for a variance, other than a similar use variance, thirty (30) metres from the boundaries of the subject property,

informing them of the application and their ability to provide comment.

7. GOVERNANCE

7.1 QUORUM

- (1) A majority of the PAC members shall constitute quorum for the purpose of conducting a meeting;
- (2) A PAC member may attend a PAC meeting via electronic communication provided that the platform allows them to hear, speak to and see other PAC members. A PAC member participating via electronic communication is deemed to be present for quorum purposes; and
- (3) If, within fifteen (15) minutes following the scheduled time for commencement of a PAC meeting, a quorum is not present for that meeting, the PAC meeting shall stand adjourned until the next regular monthly meeting of PAC or such other time as determined by the chair when a quorum can be present.

7.2 MEETINGS

- (1) The PAC shall meet monthly, or as required, in person or virtually on the third Wednesday of every month at 7:00 p.m. at City Hall, throughout the year unless otherwise specified by the PAC chair, except for the month of December where PAC shall meet on the second Wednesday;
- (2) The chair or vice-chair may at any time call or summon a special PAC meeting;
- (3) The chair or vice-chair may also call a special PAC meeting upon receiving a request from the secretary, a PAC member or City staff;
- (4) If the chair or vice-chair refuses or neglects to call a special PAC meeting when requested, any three members of PAC may call a special PAC meeting;
- (5) The meetings of PAC shall be open to the public, except that the PAC at its discretion may hold a closed meeting in conformity with the *Local Governance Act*, SNB, 2017, c. 18, as amended, for the reasons outlined therein including but not limited to receiving legal advice;
- (6) The chair may limit public presentations to the PAC to a maximum of ten (10) minutes to ensure the business of the PAC is conducted within a reasonable timeframe;
- (7) Notwithstanding subsection 7.2(1), if the chair determines that the number of agenda items requires a second meeting in any month, the chair can call an additional meeting;
- (8) Unless otherwise specifically designated, all evening PAC meetings shall be held at 7:00 p.m. and any day-time PAC meeting shall be held at 12:00 p.m. (noon);

- (9) All evening PAC meetings shall conclude no later than 11:00 p.m. unless the PAC votes to authorize the continuation of the meeting beyond that hour; and
- (10) On an annual basis in January immediately before or after the regular PAC meeting, the PAC shall hold its annual general meeting whereby it shall:
 - (a) elect the chair and vice-chair;
 - (b) appoint the secretary;
 - (c) receive the chair's report on the previous year's activities; and
 - (d) review these terms of reference to determine if any amendments are necessary.

7.3 ABSENCE & RESIGNATION

- (1) After three (3) consecutive absences by any PAC member at a regularly scheduled meeting in a twelve (12) month period, the secretary shall contact the absent PAC member to determine if they plan to attend the next regularly scheduled PAC meeting, noting any reasonable or compassionate circumstances which would prohibit their attendance;
- (2) If no reasonable or compassionate response is provided, the secretary will inform the absent PAC member that if they are absent from the next regularly scheduled PAC meeting (the fourth meeting), City Council may declare their seat vacant upon the secretary informing City Council of the absences;
- (3) If a PAC member is not able to attend a regular or special PAC meeting, the member shall advise the chair and secretary at least one (1) day prior to the meeting unless there are extenuating circumstances; and
- (4) If a PAC member wishes to resign, their intentions shall be communicated to the secretary in writing. The secretary shall inform City Council and planning staff of the resignation.

7.4 GENERAL ORDER OF PAC BUSINESS

- (1) The following shall be the order of business at regular PAC meetings:

- Call to Order
- Approval of agenda
- Conflict of interest declarations
- Approval of minutes
- Agenda Items
 - Rezoning/Zone Amendments/Plan Amendments
 - Subdivisions
 - Variations
- Unfinished business
- New business
- Building permits

Other matters
Adjournment

- (2) The following shall be the order of business at special PAC meetings:

Opening
Approval of Agenda
Conflict of Interest Declarations
Special business
Adjournment

7.5 VARIATIONS IN THE ORDER OF BUSINESS

The business before the PAC at each meeting shall be taken up in the general order outlined under subsection 7.4 unless otherwise determined by the vote of the PAC members present at the meeting. Any questions as to precedence or to the general order of business shall be decided by the chair.

7.6 VOTING

- (1) The chair, vice-chair or PAC member so presiding shall not vote upon any question except in case of equal division, when they shall have the deciding vote;
- (2) All other PAC members whether attending in person or electronically shall have one vote;
- (3) Every motion or question shall be determined by an open vote of either a show of hands or via electronic voting of the PAC members;
- (4) A motion shall be deemed to be passed or carried when a majority of the PAC members participating vote in favour of the motion or question;
- (5) A motion shall be deemed to be defeated when a majority of the PAC members participating vote against the motion or question; and
- (6) If the PAC intends to adopt a motion inconsistent with the professional planning recommendation made by Planning staff, PAC shall provide reasons for its decision on the record before the vote.

7.7 SUBCOMMITTEE

A subcommittee may be named at any time by the chair upon the adoption of a motion of the PAC specifying the matter(s) to be dealt with by such subcommittee. The motion shall specifically include the membership of the subcommittee which need not be limited to PAC members.

7.8 MATTERS NOT ADDRESSED

To the extent that a matter is not dealt with in these Terms of Reference, the Act, By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton, as amended, By-law No. A-19, A Procedural By-law of the City of Fredericton Municipal Council, as amended, or in provincial legislation, the most recent version of Bourinot's Rules of Order shall be used as a guide.

8. CONDUCT OF PAC MEMBERS AND THE PUBLIC

- 8.1 Public members of the PAC shall abide by the City Committee Code of Conduct Policy, as amended. This policy establishes expected standards of conduct of appointed committee members and provides guidance with respect to conflict of interest, confidentiality, general conduct, use of City property, technology, and resources.
- 8.2 City Council members of the PAC shall abide by By-law No. A-22, A By-law Establishing a Code of Conduct for Members of City Council of the City of Fredericton, as amended. The by-law establishes the "standards for the ethical conduct ... relating to their roles and duties as representatives of the local government and a procedure for the investigation and enforcement of those standards".
- 8.3 In addition to Section 8.1 and 8.2, PAC members shall:
- (1) Understand the PAC mandate, including its relationship to City Council and any relevant City policies;
 - (2) Understand their role as a PAC member and the roles of the chair, vice-chair, City Council members and City staff;
 - (3) Strive to attend all scheduled PAC meetings (regular and special);
 - (4) Prepare for meetings by reading agendas, reports and any background information provided;
 - (5) Refrain from discussing the specifics of a planning application, answering questions on an application, or debating the merits of an application with an applicant, their agents, or the public, outside of a duly constituted meeting;
 - (6) Participate in the discussion, recommendation, and decision-making process;
 - (7) Direct any questions or comments through the chair;
 - (8) Be open minded and consider the submissions that may be provided to PAC;
 - (9) Refer to the chair for questions of procedure;
 - (10) Respect City Council decisions;
 - (11) Clearly identify and disclose any conflict of interest, and refrain from any discussion which could influence the opinions of PAC members or City Council; and
 - (12) In a public forum, clearly identify when they are speaking in their capacity as a PAC member or as an independent citizen, where appropriate.
- 8.4 The PAC may recommend to City Council the removal of a PAC member due to non-compliance with the City Committee Code of Conduct Policy, as amended. The secretary shall inform City Council of PAC's recommendation.

8.5 Applicants, their agents, and members of the public shall conduct themselves as outlined in Schedule "B".

9. AMENDMENT

9.1 The PAC may amend, repeal or rescind these Terms of Reference by motion at any Special PAC meeting or annual general meeting.

ACKNOWLEDGEMENT

I acknowledge that I have read the Planning Advisory Committee Terms of Reference dated _____, 20__ and agree to follow and act in accordance with the Terms of Reference.

I further acknowledge that not acting in accordance with the Terms of Reference or the City Committee Code of Conduct Policy may result in my removal from the Planning Advisory Committee.

_____, _____, 202__

Schedule "A"

CHAIR RESPONSIBILITIES:

The PAC chair shall:

- (1) Ensure the PAC is acting in accordance with its Terms of Reference;
- (2) Chair PAC meetings, maintain order, ensure appropriate time is allocated to each agenda item, ensure meetings stay within allotted timeframes and all items are brought to a suitable resolution;
- (3) Facilitate and encourage participation by all PAC members;
- (4) Provide leadership in the planning, organization, and operation of the activities of the PAC;
- (5) Provide leadership to manage any potential conflict in the PAC towards respectful resolution with the support of City staff;
- (6) Schedule special meetings as required; and
- (7) In the absence of the secretary, appoint a secretary *pro tempore*.

VICE-CHAIR RESPONSIBILITIES:

The PAC vice-chair shall:

- (1) Perform all of the duties of the chair in their absence.

SECRETARY RESPONSIBILITIES:

The PAC secretary shall:

- (1) Prepare minutes of PAC regular and special meetings, and circulate draft minutes prior to the next PAC meeting;
- (2) Post the agenda of each regular and special meeting of the PAC on the City of Fredericton website ten (10) days prior to the PAC meeting; and
- (3) Provide the Committee with agendas in consultation with the chair, and/or City staff;
- (4) Communicate and provide notice of all PAC meetings specifying the date, the time and the location of the meeting. Notification will be provided to PAC members by email, phone, regular mail or courier at least four (4) days before the meeting;
- (5) Maintain and file corporate records;
- (6) Be responsible for communication, correspondence and filing approved PAC minutes;
- (7) Coordinate the flow of information to PAC members, and between the PAC and City Council;
- (8) Coordinate the flow of information between the PAC and the public as appropriate;
- (9) Prepare administrative reports to City Council, as required; and
- (10) Fulfill any duties outlined in the By-law.

Schedule "B"

PAC PUBLIC MEETING DECORUM

1. PAC meetings are open to the public. All individuals shall speak in a respectful manner.
2. Applicants, their agents, and members of the public:
 - (a) shall not address the PAC without its permission;
 - (b) shall direct comments through the PAC chair;
 - (c) shall maintain order and quiet; and
 - (d) shall not interrupt or interfere with the proceedings of PAC.
3. Any individual that makes disrespectful, insulting, malicious, personal, impertinent, defamatory or slanderous remarks or who becomes unruly while at the PAC, and refuses to apologize or withdraw their remarks when directed by the chair, or willfully obstructs the conduct of PAC business, and refuses to stop when requested to do so by the chair may be ordered to leave the PAC meeting.
 - (a) if the individual refuses to leave the PAC meeting, the chair may call a recess. Staff may request assistance from private security and/or the Fredericton Police Force.
 - (b) in the case of virtual PAC meeting attendance, if an individual is directed to leave the PAC meeting, their connection to the PAC meeting will be terminated.

CITY OF FREDERICTON
BY-LAW NO. Z-3.1

**A BY-LAW TO AMEND BY-LAW NO. Z-3, A
BY-LAW TO ESTABLISH A PLANNING
ADVISORY COMMITTEE FOR THE CITY
OF FREDERICTON**

WHEREAS the Council of the City of Fredericton deems it desirable to amend By-law No. Z-3 as hereinafter provided.

THEREFORE, THE COUNCIL OF THE CITY OF FREDERICTON ENACTS AS FOLLOWS:

1. By-law No. Z-3, A By-law to Establish a Planning Advisory Committee for the City of Fredericton, is amended by repealing Section 1.01 and replacing it with the following:

1.01 Pursuant to the provisions of the *Community Planning Act*, SNB 2017, c. 19, as amended, a Planning Advisory Committee (PAC) of nine members is established for the City of Fredericton.

2. The said By-law is further amended by repealing Sections 1.02, 1.03, and 1.04 and renumbering the remaining section as 1.02.

Read a first time this _____ day of _____ 2026.

Read a second time this _____ day of _____ 2026.

Read a third time and finally passed this _____ day of _____ 2026.

Kate Rogers,
Mayor/maireesse

VILLE DE FREDERICTON
ARRÊTÉ N° Z-3.1

**ARRÊTÉ MODIFIANT L'ARRÊTÉ N° Z-3
ARRÊTÉ CONSTITUANT UN COMITÉ
CONSULTATIF EN MATIÈRE
D'URBANISME POUR THE CITY OF
FREDERICTON**

ATTENDU QUE le conseil municipal de la Ville de Fredericton estime souhaitable de modifier l'arrêté n° Z-3, ainsi qu'il est prévu ci-après.

PAR CES MOTIFS, LE CONSEIL MUNICIPAL DE LA VILLE DE FREDERICTON ÉDICTE CE QUI SUIT :

1. L'arrêté Z-3, arrêté constituant un comité consultatif en matière d'urbanisme pour the City of Fredericton, est modifié par l'abrogation de l'article 1.01 et son remplacement par :

1.01 Conformément aux dispositions de la *Loi sur l'urbanisme*, LN-B 2017, c. 19, et ses modifications, est constitué pour The City of Fredericton un comité consultatif en matière d'urbanisme forme de neuf membres.

2. Ledit arrêté est également modifié par l'abrogation des articles 1.02, 1.03, et 1.04 et en renumérotant l'article restant comme 1.02.

Passé en première lecture ce _____ 2026.

Passé en deuxième lecture ce _____ 2026.

Passé en troisième lecture et définitivement adopté ce _____ 2026.

Jennifer Lawson,
City Clerk/secrétaire municipale