

# Planning 101

**Local Governance and Land Use Planning Division  
Department of Municipal Affairs and Environment**

# Objectives

- To increase awareness and understanding of:
  - Land Use Planning
  - Planning Process
  - The roles and responsibilities of Council
  - Urban and Rural Planning Act, 2000

# Why plan?

- **Municipal Plan**

- Sets Council's vision, goals and objectives for community growth and sustainability
  - Protect town character
  - Enhance quality of life
  - Support the local economy
  - Protect the environment

- **Development Regulations**

- Consistent decision-making
- Sets standards

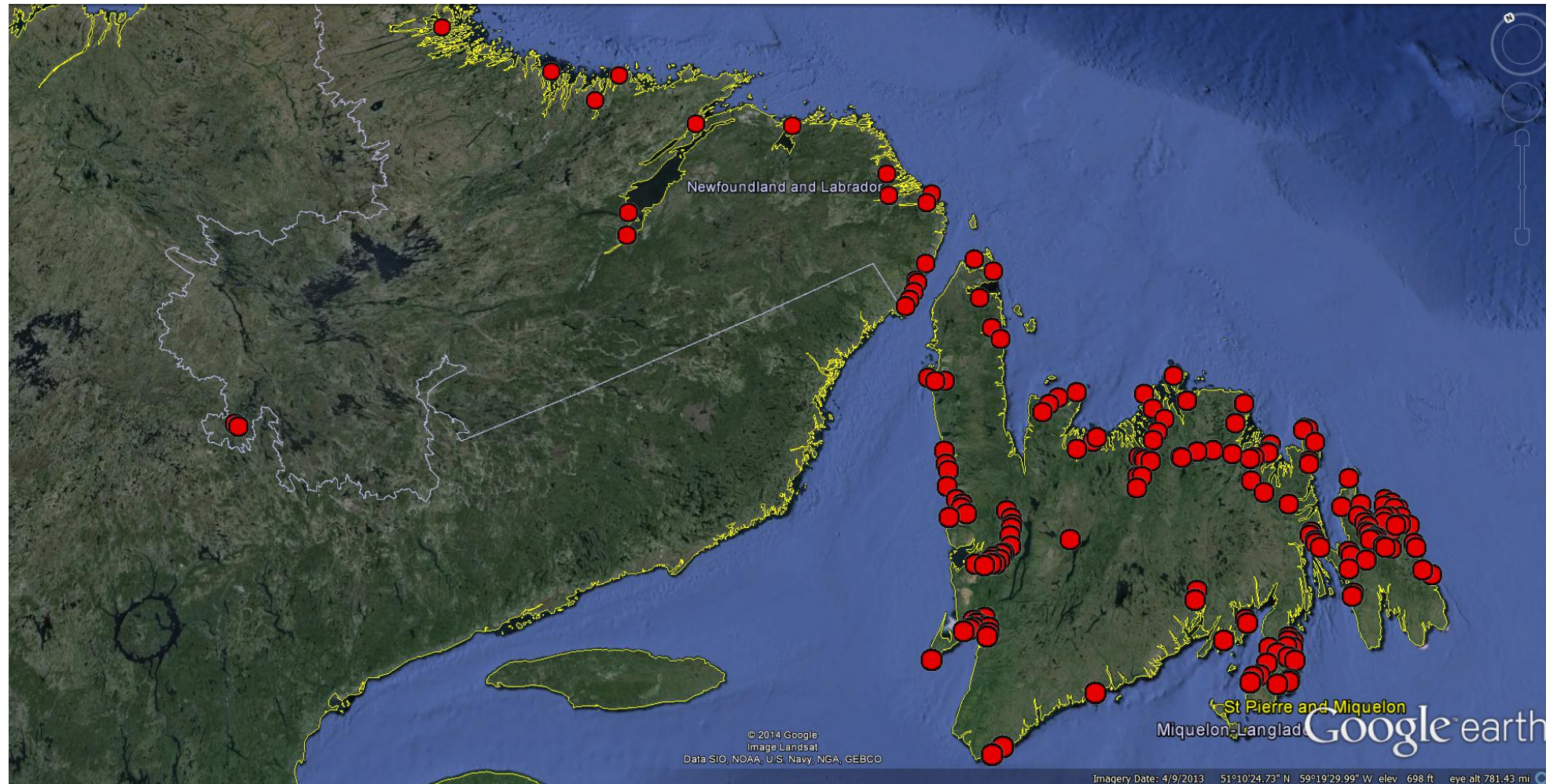
# Municipal Plan and Development Regulations

- Legally binding on
  - Municipality and Council
  - Persons undertaking development
- Municipal Plan
  - Policy document
- Development Regulations
  - Identifies zones and specifies standards, conditions and requirements for development

# Urban and Rural Planning Act, 2000

- Framework for land use planning in NL
  - Gives Council the authority to carry out land use planning
  - Sets out process for bringing Municipal Plans and Development Regulations and amendments into legal effect
  - Includes provisions for appeals and enforcement

# Planning and Municipalities in NL



# Municipal Role

- Council responsible for:
  - Hiring a land use planning consultant (MCIP/FCIP)
  - Overseeing plan preparation
  - Public consultation
  - Adoption and approval
  - Using the Plan and Regulations (when in legal effect) to make development decisions
  - Amending Plan and Regulations when needed
  - Defending decisions before appeal board



# Provincial Role

- MAE is not involved in the preparation of Municipal Plans
- MAE is responsible for:
  - Ensuring compliance with URPA
  - Protecting provincial interests
  - Protecting provincial land use policy
  - Ensuring Compliance with provincial plans such as regional plans
  - Administering the legislated review and registration process
  - Maintaining the registry of land use plans:  
<https://www.mae.gov.nl.ca/registry/index.html>



# Planning Process

- URPA, 2000 – Part III
  - Public consultation
  - Provincial interest
  - Adoption
  - Appointment of Commissioner
  - Notice of Public Hearing
  - Public Hearing
  - Approval
  - Review and Registration
  - Notice of Registration

# Public Consultation

- Opportunity to engage the public
  - Accommodate the size, structure and complexity of planning issue
  - Share background information and studies
  - Outline planning process
  - Solicit input for drafting the plan
- Public Review
  - Draft plan and regulations available for public to review
  - Receive comments on draft plan and regulations
- Solicit information from government departments and agencies

# Discussion

What public consultation methods have been used in your town?

What worked well for your town that you'd like to share?

# Public Consultation Tools

- newspaper ad(s)
- one on one meetings
- social media postings
- website notice
- posters
- public meeting
- open house
- focus group(s)
- meetings with stakeholders
- survey
- pop-up booth
- presentations to community groups
- kids and planning activities
- site visit with interested persons
- background report
- pamphlet
- community newsletter
- share studies and reports
- public notices
- discussions with government departments
- blog
- community walk
- school visit
- request for written submissions

# Provincial Review

- MAE reviews final draft for compliance with:
  - URPA
  - Minister's Development Regulations
  - Provincial interests, policies and law

# Adoption

- Once released from provincial review, Council can adopt
- Adoption must occur at a regular public meeting of Council
- Council's motion should be recorded in the minutes

# Organizing the Public Hearing

- Council arranges a public hearing
- Council appoints a Commissioner
- Council publishes notice of Adoption and Public Hearing
- Opportunity for public to review plan and prepare submissions
- Decision to proceed or cancel Public Hearing
  - May be cancelled if no submissions received
- If hearing occurs, commissioner's report/recommendations submitted to Council



# Public Hearing Notice

- Public Hearing notice must be published **twice** in a local newspaper
- Advertisement should be clear:
  - Include details on purpose
  - Request written submissions
  - Include hearing date, time and location
  - Include statement that the hearing may be cancelled if no submissions are received by deadline
- 14 clear days from notice publication date to hearing date

# Commissioner's Role at Public Hearing

- Chairing the statutory public hearing
  - Reviewing written submissions
  - Hearing submissions at the hearing
- Preparing report
  - Address evidence heard
  - Rational for recommendation
  - Recommendation for Council consideration

# Council's Approval

- Council must consider the Commissioner's Report
  - Table at a public Council meeting
- Resolution to Approve
  - Approve "as adopted" (without changes)
  - Approve "as amended"
    - If changes are made to documents previously adopted, the changes must be articulated in the resolution pages of the legal documents
- Additional public hearing may be held, if necessary

# Registration

- Submit to MAE for review/ registration
  - 2 hardcopy sets of originals of Municipal Plan, Regulations, and Maps
  - Commissioner's Report
  - Notices of public hearing
  - Affidavit
- Registration by MAE
- Notice of registration
  - NL Gazette (signals legal effect)
  - Local newspaper

# Using Your Plan and Regulations

- Council should use its Plan and Regulations:
  - to make decisions on development applications
  - to determine where to build municipal buildings or facilities
  - to respond to referrals
  - at appeal hearings and in Court
  - when carrying out enforcement
  - when considering new development
  - when considering how the Town should grow

# Appeals

- Matters that can be appealed to Regional Appeal Boards:
  - Development
    - Refusal of Development Permit
    - Approval of a Development Permit
    - Conditions of a Development Permit
    - Revocation of a Permit
    - Refusal of a building permit
  - Issuance of an Order under the Urban and Rural Planning Act, 2000 or the Municipalities Act, 1999

# Enforcement Tools

- Letters requesting compliance
- Orders
- Court action
- Violation notices (for some municipalities)



What questions do you have?

# Summary

- Planning Legislation
- Municipalities and planning in NL
- Provincial Responsibility
- Municipal Responsibility
- Legislated Planning Process
- Plan Administration
- Appeals

# Local Governance & Land Use Planning Division

Region	Planner
Western	Elaine Mitchell
Central/ Labrador	Christopher Hardy
Eastern	Kim Blanchard (NEA) Victoria Akerele

# Contact Information

Local Governance and Land Use Planning Division

709-729-3090

Director: [maryoley@gov.nl.ca](mailto:maryoley@gov.nl.ca)

Administrator: [carolhanlon@gov.nl.ca](mailto:carolhanlon@gov.nl.ca)