July 18, 2019

Dear [Name]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/126/2019]

On June 17, 2019, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

“1) All official policies and directives of the Local Governance and Planning Division, including all information regarding the approval of said policies and directives including, but not limited to, signing authority, approval date, and implementation (effective) date; and 2) All correspondence between employees of the Local Governance and Planning Division—including all management staff managing said employees of the Division—regarding the development and approval of any "required form" as a part of the Municipal Plan (and Municipal Plan amendment) submission requirements under subsection 15(2) of the Urban and Rural Planning Act, 2000. Correspondence shall include the period between June 16, 2017 and the date of this request (June 16, 2019).”

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, certain text contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

Section 35(1)(b): “The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose financial, commercial, scientific, or technical information that belongs to a public body or to the government of the province and that has, or is reasonably likely to have, monetary value.”

Section 40(1): “The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.”
As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed. Please note that part one of our response is in relation to the first part of your request, and part two is in relation to the second part of your request.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John’s, NL. A1B 3V8  
Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7183 or by e-mail at ryancollins@gov.nl.ca.

Sincerely,

RYAN COLLINS  
ATIPP Coordinator  
Municipal Affairs and Environment

Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

   (a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

   (b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
Comprehensive Review or Amendment to an existing Municipal Plan and Development Regulations

The Urban and Rural Planning Act, 2000, came into effect on January 1, 2001. “Registration” is the formal process by which the Department of Municipal Affairs and Environment makes sure that Municipal Plans, Development Regulations, and Amendments have been prepared in accordance with the Act, and in conformance with provincial policies and laws.

Under the Urban and Rural Planning Act, 2000, Municipal Councils have assumed responsibility for:

- Providing public consultation opportunity for interested parties to provide input
- Adopting Municipal Plans, Development Regulations, and Amendments to them, subject to provincial review and registration
- Appointing a Commissioner to hold the Public Hearing
- Writing and inserting the advertisements for the Public Hearing in the local newspaper
- Organizing and holding the statutory Public Hearing
- Approving Municipal Plans, Development Regulations, or Amendments
- Bringing Municipal Plan, Development Regulations, or Amendments into legal effect by inserting a notice of registration in the Newfoundland and Labrador Gazette and local newspaper

In general, the steps to registration are:

- Preliminary public consultation
- Provincial review and release
- Formal resolution of Adoption by Council
- Statutory Public Hearing
- Formal resolution of Approval by Council
- Final review and registration
- Coming into legal effect

Technical Tip:
For a “stand alone” Development Regulations amendment to change zoning or text (where the change is not contrary to a Municipal Plan policy or future land use designation), Council is only required to give notice in a local newspaper and consider any submissions before submitting the adopted documents for registration. In these cases, a Public Hearing is not required, but may be held if Council wishes.

Adoption

Before Council makes a formal resolution to adopt, the draft documents must first be submitted to the Department for provincial review in accordance with provincial interests. Once released from provincial review, Council may consider for adoption. Council should only pass its “resolution to adopt” when it is fully satisfied with the documents at this stage.

Public Hearing

After Council has made its formal resolution to adopt, the municipality is responsible for organizing the statutory Public Hearing. Remember that the Public Hearing process should be as open and transparent as possible. Council should choose a date, time, and location that is convenient and accessible to residents. The venue location must be within the municipal jurisdiction. Council should try to avoid conflicts with holidays or local events.

The Public Hearing is an important part of the approval process because:

- It is the last opportunity for residents to raise issues
- Residents can make their objections known to an independent Commissioner
- It raises public awareness that a Municipal Plan, Development Regulations or Amendment has been adopted
- It provides a chance for the adopted documents to be viewed by the public
Choosing a Commissioner

Council must now appoint its own Commissioner to hold the Public Hearing. In choosing a Commissioner, Council should be careful to select someone who is impartial with no connection to any of the parties. Other qualities that Council should look for in its Commissioner are: good communication skills, experience managing feedback at a meeting, ability to synthesize input and provide recommendations in a written report, and, ideally, knowledge of planning and/or the Town’s Municipal Plan.

When approaching someone to serve as Commissioner, Council should discuss the candidate’s suitability, availability, as well as costs. It is up to Council to negotiate suitable remuneration. Council may have to pay a retainer to the Commissioner whether or not the Public Hearing goes ahead. Council may also be responsible for various expenses such as travel, printing/copying, and venue rental fees. Council may also wish to discuss a deadline for submission of the Commissioner’s report, which is typically requested within a month from the Hearing date. According to Section 19 (6), the Commissioner cannot be a member or an employee of any Council in Newfoundland and Labrador.

More Technical Tips:

- Council must advertise the Public Hearing twice. The first ad must appear no fewer than 14 days before the Public Hearing. The earliest that the Public Hearing can occur is the 15th day after the first public notice.
- The advertisements must appear at least twice in the local newspaper.
- The adopted documents should be on public display from the date that the first Public Hearing ad appears.
- Objections must be submitted no fewer than 2 days before the date of the Public Hearing.

Holding a Public Hearing

Council must make arrangements for the Public Hearing, including, writing and arranging ads to appear in the local newspaper, booking the room, and deciding who will represent Council.

A representative of Council should be prepared to speak. Council may wish to ask its planning consultant to attend; however, it is not mandatory that the planner attend. The Urban and Rural Planning Division has examples of Public Hearing ads. Section 21 allows Council to cancel the Public Hearing if no objections are received. Council may then pass a resolution to approve at the next public meeting of Council.

Commissioner’s Report

If the Public Hearing goes ahead, the Commissioner will document recommendations in a report for Council’s consideration. After reviewing the report, Council may decide to make changes, withdraw the documents, or hold another Public Hearing. Council can then make a resolution to approve the documents, with or without changes.

Registration

The approved documents are sent to the Department of Municipal Affairs and Environment for registration. The Department’s role is to make sure that Council completed all the steps outlined in the Act. The Department also reviews the approved documents to make sure that they are not contrary to provincial law or policy.

For more information about the registration process, please contact Land Use Planning at (709) 729-3090!

Although we cannot make recommendations, we retain a list of certified planners who offer municipal planning consulting services in NL. We also have templates of resolutions and notices that we can provide upon request. We may be able to provide names of people who have experience, or have expressed interest in, serving as a Commissioner for your Public Hearing.
GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

Department of Municipal and Provincial Affairs
Urban and Rural Planning Division

March 21, 2001

Dear Mayor and Councillors:

Re: Requirements for Submission of Documents under the Urban and Rural Planning Act, 2000

The enclosed document sets out standards for the submission of Municipal Plans, Development Regulations or amendment packages under the new Urban and Rural Planning Act. I hope that it provides guidance to Council, and their planning staff or consultant, about the documents to be submitted at each stage of the preparation and registration process as well as establishing a baseline for preparation of documents acceptable for registration.

Mapping for all new Municipal Plan and Development Regulations as well as 5 Year Plan Reviews must be digitally produced. I believe that this requirement reflects current practice with most planning consultants, and some of the larger municipalities, creating digital future land use and zoning maps. Municipal Plans are in effect for a long time and the Urban and Rural Planning Division is looking toward the future when many more municipalities will have the ability to use and create digital mapping.

In addition, the Department of Municipal and Provincial Affairs is developing a Municipal Information Management System (MIMS) which will serve as a data warehouse for engineering infrastructure information, municipal planning and zoning data, soils information and street names. To make sure that the spatial data in MIMS can be shared by all users, a consistent map base must be used and certain layers of information must be able to be extracted from a town’s future land use and zoning maps for inclusion. For these reasons, base map sets provided by the Department must be used by towns and consultants and all spacial data must meet our data structures. If you would like more information about MIMS or are interested in the spatial data available for your town, please contact Wayne Evans at 729-5404 (WEVANS@mail.gov.nf.ca) or Perry Murphy at 729-2494 (PMURPHY@mail.gov.nf.ca).

In cases where Municipal Plans and Development Regulations have been prepared for a town, it is not the Department’s intention to sell or release documents or maps unless Council, and/or their planning consultant, has given us written permission to do so. However, the documents and maps will be used for government purposes such as interpretation and analysis.
Certain layers of spacial data will be extracted from the town’s digital maps and included in MIMS. This data will only be redistributed for provincial and municipal purposes.

The *Urban and Rural Planning Act, 2000* states that Municipal Plans, Development Regulations and Amendments must be submitted “in the required form” before they can be registered. The enclosed document outlines the requirements for submission of documents at each stage of the process. Documents not meeting these standards may not be registered. Please keep this document on hand as a reference to the process and submission requirements.

A previous version of this document was circulated to a small group of interested parties for input. The requirements have been modified to reflect comments received. Specifically,
- text and maps can be submitted electronically at the provincial review stage to minimize the printing costs incurred by Council;
- there has been an attempt to minimize the number of duplicate documents and maps, and
- along with the digital base maps, the Department will provide a layer showing major water bodies in urban areas so to reduce the work required to meet the Department’s data structures.

These requirements are dynamic and may change from time to time. Your input is welcome.

The Urban and Rural Planning Division can provide standard forms and notices such as resolution pages and public hearing advertisements. Please contact me if you would like a copy of any of these forms or notices.

If you wish to discuss these standards or want any advice about the required form of documents and maps, please do not hesitate to contact me at 729-3090 or by email at SCLINTON@mail.gov.nf.ca.

Yours truly

S. N. CLINTON, Director
Urban and Rural Planning

encl.

cc planning consultants
GENERAL NOTES

- Please feel free to contact the Urban and Rural Planning Division for advice and feedback on early drafts of documents. You can submit these early drafts by fax, email or by mailing/delivering a copy. Please make sure that each draft is dated so the Urban and Rural Planning Division can keep track of them.

- The Urban and Rural Planning Division can provide standard forms such as resolution pages and notices. Please contact us if you would like copies.

- All maps for new Municipal Plans and Development Regulations and for 5 year Plan Reviews must be digitally produced meeting departmental standards. All digital maps are to be produced using the map base provided by the Department of Municipal and Provincial Affairs.

- Amendment maps may be produced by identifying the subject area on a copy of the original map. As these maps must be reproduced in black and white, the area should be cross hatched or covered in tone. It is not acceptable to colour or highlight the area.

- Municipal Plans and Development Regulations shall be produced as separate documents.

- A space for the signature of the Mayor and Clerk as well as the Council seal should be provided on all maps. Each and every map must be signed by the Mayor and the Clerk and stamped with Council’s seal.

C.I.P. CERTIFICATION

- The Urban and Rural Planning Act requires Municipal Plans and Development Regulations and Amendments to be certified by a full member or fellow of the Canadian Institute of Planners. The following certification must be include in all documents and on all maps:

I certify that this Municipal Plan/ Development Regulations/ Amendment X, 2001 has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

M.C.I.P. signature and seal

- If the documents were prepared by a member or fellow of the Canadian Institute of Planners (for example by a planning consultant or your planning staff) then that member should sign and stamp the certification.

- A planner with the Department of Municipal and Provincial Affairs may certify amendment packages prepared by Council staff.
PROPOSED MUNICIPAL PLAN, DEVELOPMENT REGULATIONS AND AMENDMENT PACKAGES

- Documents are submitted to the Department of Municipal and Provincial Affairs when the public consultation process is completed and Council is satisfied with the final draft of the Municipal Plan, Development Regulations or amendment package but before the documents are officially adopted.

- The Department will review the documents for conformity with provincial policy and law. Digital maps will be reviewed to ensure that they meet Departmental standards.

- Please make sure that all the documents are dated.

Required Form

- The Urban and Rural Planning Act requires Council to submit, in the required form, any Municipal Plan, Development Regulations, or amendment package to the Department for review.
  ✓ 1 copy of complete text and all maps
  ✓ the text and maps can be submitted electronically (by email or on a disk), by fax or as a paper copy
  ✓ for new Municipal Plans and Development Regulations or 5 year Plan Reviews, an electronic version of the maps must be submitted

Public Consultation

- The Urban and Rural Planning Act requires documentation concerning Council’s public consultation process to be submitted at this time.
  ✓ statement outlining how Council carried out its public consultation process
  ✓ supporting documents such as a copy of any public notices or advertisements
  ✓ copy of any input received from government departments or agencies

ADOPTED MUNICIPAL PLANS, DEVELOPMENT REGULATIONS OR AMENDMENT PACKAGES

- Documents are submitted after Council has passed a resolution of formal adoption.

Required Form

✓ 2 copies of text and maps
✓ for new Municipal Plans, Development Regulations or 5 Year Review, a new electronic version of the maps is not required if the maps were not changed after the provincial review
✓ resolution pages for each document and all maps must be signed by the Mayor and Clerk and stamped with Council’s seal
✓ if prepared by the planning consultant or planning staff, all documents and maps must be certified by a full member or fellow of the Canadian Institute of Planners
✓ statement or letter outlining any changes made to the documents since the formal departmental review
REGISTRATION

After the statutory Public Hearing and Council’s formal approval, the following documents are to be submitted, depending on whether or not changes have been made from the adopted documents.

**Required Form**

<table>
<thead>
<tr>
<th>No changes following Public Hearing Process</th>
<th>Changes as a result of the Public Hearing Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ approval resolution signed by Mayor and Clerk and stamped with Council seal</td>
<td>✓ it is not necessary to re-submit the text or maps if no change has been made to the version adopted by Council</td>
</tr>
<tr>
<td>✓ written request that documents be registered</td>
<td>✓ if there are changes to either the maps or the text, 2 copies of the consolidated text or maps must be submitted</td>
</tr>
<tr>
<td>✓ affidavit from Clerk regarding Public Hearing *</td>
<td>✓ if there are changes to the digital maps for new Municipal Plans, Development Regulations and 5 years reviews, they must be re-submitted in the required digital format</td>
</tr>
<tr>
<td>✓ copy of commissioner’s report and any written submissions and objections made at the public hearing</td>
<td>✓ if new maps are submitted, all maps must be signed and sealed by the Mayor and Clerk and stamped with Council’s seal as well as certified by a full member or fellow of the Canadian Institute of Planners</td>
</tr>
<tr>
<td></td>
<td>✓ approval resolution signed by the Mayor and Clerk and stamped with Council’s seal</td>
</tr>
<tr>
<td></td>
<td>✓ statement outlining any changes made to the text and/or maps since they were adopted by Council</td>
</tr>
<tr>
<td></td>
<td>✓ written request that documents be registered</td>
</tr>
<tr>
<td></td>
<td>✓ affidavit from Clerk regarding Public Hearing *</td>
</tr>
<tr>
<td></td>
<td>✓ copy of commissioner’s report and any written submissions and objections made at the public hearing</td>
</tr>
</tbody>
</table>

* The Urban and Rural Planning Division has a standard form of affidavit which may be used. Please contact us for a copy.

• Once the documents have been registered, one copy of the signed and sealed documents and maps will be returned to Council. Please file them in a safe place as they are legal documents.
“STAND ALONE” DEVELOPMENT REGULATIONS AMENDMENTS

- Section 35 (5) of the Urban and Rural Planning Act, 2000 requires Council to advertise a Development Regulation Amendment that has not occurred as a result of a change to its Municipal Plan in a local newspaper and to consider any representations. Such amendments do not need to go to Public Hearing.

Required Form
- ✓ 2 copies of text and maps
- ✓ adoption resolution signed by Mayor and Clerk and stamped with Council seal
- ✓ if prepared by a planning consultant or planning staff, all documents and maps must be certified by a member or fellow of the Canadian Institute of Planners
- ✓ affidavit from Clerk regarding notice in local newspaper *
- ✓ supporting documents such as a copy of the advertisement
- *
  The Urban and Rural Planning Division has a standard affidavit which may be used. Please contact us for a copy.

DIGITAL MAPPING REQUIREMENTS

- The Department of Municipal and Provincial Affairs is developing a Municipal Information Management System (MIMS) which will serve as a data warehouse for engineering infrastructure information, municipal planning and zoning data, soils data and street names. In order to implement this system, the Department has established standard data structures for all spatial data. This will allow for the free exchange of data amongst all users whether municipalities, engineering and planning consultants, or government departments.

- All maps for new Municipal Plan and Development Regulations or for 5 year Plan Reviews must be digitally produced.

- All digital maps are to be produced using map bases provided by the Department. These will be provided at no charge to towns and planning consultants with submission of a signed agreement that it not be redistributed without consent. The map base is built upon the most current map sets available from Surveys and Mapping Division, Department of Government Services and Lands but may be augmented with additional digital mapping to ensure full coverage of the municipal planning area. The map base will meet provincial standards. The Surveys and Mapping Division may require towns and consultants to sign a separate agreement concerning the use and redistribution of their map sets.

- The Department will also provide a layer showing major water bodies in urban areas.

- The Department will not release or sell paper or electronic copies of Municipal Plans, Development Regulations, 5 Year Plan Reviews or accompanying maps prepared for a town unless Council gives us written permission to do so. These documents and maps will only be used for government business such as interpretation and analysis.

- The digital maps must be able to be plotted by the Department so that we can create and reproduce consolidated future land use and zoning maps for the planning library and sharing with other government departments and agencies.
Certain layers will be extracted for inclusion in the Department’s Municipal Information Management System. Redistribution of this data will be limited to provincial and municipal purposes.

**Required Form**

- ✓ maps must be geo-referenced in accordance with NFLD NAD 83 MTM 3 degree projection.
- ✓ all future land use and zoning polygons must be closed.
- ✓ specifications are set for plan and regulations polygon and text data so that these layers will be compatible with the Department’s Municipal Information Management System (MIMS) as follows:
  - Planning information shall be prepared in the following layers
    - MSPLEG    Municipal Plan (Future Land Use Map) Legend
    - MSZLEG    Development Regulations (Zoning Map) Legend
    - MSP        Future Land Use Polygon Data
    - MSPT       Future Land Use Text
    - MSZ        Zoning Polygon Data
    - MSZT       Zoning Text
  - Other planning information map features related to plan policies or zone conditions may be assigned other layer names, with a separate layer for each unique element or policy item. Examples of such features are collector road, future road, aggregate resource area, or flood zone.
  - Any changes to the base maps such as the addition of new buildings or roads should appear on a separate layer identified as MSUPMAP.
  - For administrative purposes, the MS prefix in AutoCAD layer will be reserved for Departmental purposes.
- ✓ Base map data must not be altered.
PROCEDURES

SETTING UP A FILE

1. Planner receives amendment package
2. Planner sets up file
3. Planner prepares 2 cards. One card is placed in library. One card remains with legal file.
5. Stan returns file with signed release letter to planner.
6. Planner mails release letter and updates card.
8. Robert adds card information to MIMS.

REGISTRATION

1. Planner reviews completed amendments.
2. Planner removes all draft documents from file.
3. Planner identifies registration number and prepares memo for Stan.
4. Planner updates card information including registration number for both cards.
5. Planner updates table to ensure registration numbers remain in sequence and up to date.
7. File returned to Planner.
8. If straight forward, Mabel prepares registration letter and sends to Town and relevant consultant. If complicated, Planner prepares registration letter and sends to Town and relevant consultant.
9. Mabel records registration date in her files.
10. Mabel or planner give legal file to Robert.
11. Robert updates MIMS and returns file to pending drawer.
12. Mabel identifies notice in Gazette, copies Gazette for Perry and Robert, and records information in her files.
13. Mabel updates cards and then places file in legal cabinets.
14. Mabel adds amendments to library.
15. Robert notes notice in Gazette and updates MIMS.
16. Perry produces consolidated maps.
17. Perry places copy of consolidated map in library.

NOTES:

The planner is responsible for filling in card in legal file and library cards to the point that the documents are registered (including date of registration). Mabel will be responsible for completing the date that the notice appears in the Gazette on both cards.

Robert is responsible for putting all information into MIMS.
TOWN OF -----  
MUNICIPAL PLAN  

MUNICIPAL PLAN AMENDMENT No. X, 20--  

month, 20--
URBAN AND RURAL PLANNING ACT

RESOLUTION TO APPROVE

TOWN OF -------------- MUNICIPAL PLAN AMENDMENT No. X, 20--

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of --------------

a) adopted the -------------- Municipal Plan Amendment No. X, 20-- on the ----- day of --------------, 20--.

b) gave notice of the adoption of the -------------- Municipal Plan Amendment No X, 20-- by advertisement inserted on the ----- day and the ----- day of --------------, 20-- in the -------------- newspaper.

c) set the ----- day of -------------- at ------ p.m. at the Town Hall, ---------- for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of ----------- approves the -------------- Municipal Plan Amendment No. X, 20-- as adopted (or as amended).

SIGNED AND SEALED this ----- day of ---------------------- , 20--

Mayor: ____________________________

(Council Seal)

Clerk: ____________________________
URBAN AND RURAL PLANNING ACT

RESOLUTION TO ADOPT

TOWN OF -------------- MUNICIPAL PLAN AMENDMENT No. X, 20--

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of -------------- adopts the -------------- Municipal Plan Amendment No. X, 20--.

Adopted by the Town Council of -------------- on the ---- day of -------------- ----, 20--.

Signed and sealed this ---- day of -------------- ----, 20--.

Mayor: ________________________ (Council Seal)

Clerk: ________________________

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. X, 20-- has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP: ________________________ (MCIP Seal)
TOWN OF -----
MUNICIPAL PLAN AMENDMENT No. X, 20--

BACKGROUND

The Town Council of ---- wishes to amend its Municipal Plan.

(include a paragraph or two describing why Council wishes to amend its Municipal Plan for example Council has received an application for ...)

(include a paragraph or two describing the amendment. Council might be amending the future land use map or Council might be making a change to the text of its Municipal Plan. Clearly state what Council is attempting to achieve: for example, council wishes to permit a greater range of uses it its whatever designation so it is changing Plan policy to allow whatever...)

The precise wording of this amendment is set out below.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiatives so that individuals and groups could provide input. (outline the public consultation that Council did for example Council held a public meeting on such or such date so that the residents could discuss issues relating to whatever)

AMENDMENT No. X, 20--

1. Section x of the ---- Municipal Plan is amended by deleting items x.x.x through x.x.x and replacing them with the following policy statements.

   x.x.x  blah...blah...blah

   x.x.x  blah...blah...blah

2. Future Land Use Map is amended as shown on the attached Map. (Plan map must clearly show the area of the amendment by cross hatching. Do not colour or highlight the area because this will not show up when the map is photocopied. The map must also include a legend which clearly states what designation that the land is being redesignated from and what designation the land is being changed to. Include space for the mayor and clerk's signatures and the Council seal. Include the CIP certification.)
TOWN OF ----
LAND USE ZONING, SUBDIVISION AND ADVERTISEMENT REGULATIONS

DEVELOPMENT REGULATIONS AMENDMENT No. X, 20--

month, 20--
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF ---------
DEVELOPMENT REGULATIONS AMENDMENT No. X, 20--

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of --------- adopts the --------- Development Regulations Amendment No. x, 20--.

Adopted by the Town Council of --------- on the ---- day of --------------, 20--.

Signed and sealed this ---- day of -------------, 20--.

Mayor: 

(Council Seal)

Clerk: 

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. x, 20-- has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP: 

(MCIP Seal)
TOWN OF ----

DEVELOPMENT REGULATIONS AMENDMENT No. X, 20--

BACKGROUND

(Include a paragraph or two describing, in general terms, the intent of the amendment - for example, "...the development regulations amendment is required in order to accommodate the development of a new school..."

PUBLIC CONSULTATION

(Make a brief statement about Council's consultation process. Since this is a "stand alone" amendment to the Development Regulations, section 35 (5) of the Urban and Rural Planning Act states that Council only has to give notice of the proposed changes in a local newspaper and consider any resulting representations before forwarding the amendment to the Department of Municipal and Provincial Affairs for registration. Please include the name of the paper and the date of the notice's publication in this consultation statement. Also, please submit a copy of the advertisement, as published, with your amendment package.)

DEVELOPMENT REGULATIONS AMENDMENT No. x, 20--

(Actual statement of changes, framed in such a fashion that the reader is not required to review the existing documents to determine what is being modified. The following are examples of the most common types of development regulations changes)

1. Section x of the Development Regulations, which reads as follows:

   "x. blah...blah...blah"

   shall be deleted and replaced by the following (changes italicized):

   "x. blah...blah...blah"

2. The xxx Use Zone Table (Schedule C) shall be amended by:

   a. adding "[ use class name as per Schedule B listings ]" to the list of discretionary uses

   b. adding the following condition as Condition x

   "x. blah...blah...blah"

3. Land Use Zoning Map x is amended as shown on the attached map.

(Note: Where map changes are required, they usually require more than a stand-alone Regulations amendment. Please consult with a planner to be sure. The map must clearly show the area of the amendment by cross hatching. Do not colour or highlight the area because this will not show up when the map is photocopied. The map must also include a legend which clearly states what the land is being rezoned from and what zoning the land is being changed to. Include the mayor and clerk's signature blocks and space for the council seal. Also include the MCIP certification block again and space for that seal)
URBAN AND RURAL PLANNING ACT
TOWN OF ----- 
NOTICE OF PROPOSED CHANGES TO THE 
----- DEVELOPMENT REGULATIONS

The Town Council of ----- is considering a change to the ----- Development Regulations. In general terms, the purpose of this change is to ..... (include a brief outline of the proposed change as well as specifying the location ie Mr. J. Smith wants to expand his existing campground operation at the intersection of This Road and That Road to accommodate 20 recreational vehicle sites and in order to do this a change must be made in the Recreational Open Space zoning).

Before proceeding with this proposed change to the Development Regulations, the Town Council of ----- wishes to receive any comments or representations on this matter. Anyone wishing to make a comment, objections or representation should submit a written statement outlining their concern to the Town Clerk by ------------------.

For more information about this proposed change to the ----- Development Regulations, please call the Town Office at (709) xxx-xxxx.
URBAN AND RURAL PLANNING ACT
TOWN OF ----- 
PROPOSED CHANGES TO THE ----- 
MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS

The Town Council of ----- is considering a change to the ----- Municipal Plan and Development Regulations. In general terms, the purpose of this change is to ...... (include a brief outline of the proposed change as well as specifying the location ie Mr. J. Smith wants to build a 20 lots residential subdivision at the intersection of This Road and That Road and in order to do this a change from the Rural future land use designation and Rural zone to the Residential future land use designation and Residential zone will be required.)

Before proceeding with this proposed change to the Municipal Plan and Development Regulations, the Town Council of ----- wishes to receive any comments or representations on this matter. Anyone wishing to make a comment, objections or representation should submit a written statement outlining their concern to the Town Clerk by --------------.

For more information about this proposed change to the ----- Municipal Plan and Development Regulations, please call the Town Office at (709) xxx-xxxx.

(Council may wish to hold an open house or to display the proposed amendments at the Town Office. If this is the case, the advertisement should specify the time and place of the open house and/or state the time and place where the proposed changes can be viewed.)
URBAN AND RURAL PLANNING ACT
PUBLIC HEARING
TOWN OF ----- MUNICIPAL PLAN AMENDMENT No. X, 20--
AND DEVELOPMENT REGULATIONS AMENDMENT No. X, 20--

The Town Council of ----- has adopted ----- Municipal Plan Amendment No. x, 20-- and Development Regulations Amendment No. X, 20--.

A Public Hearing to consider objections and representations on the Municipal Plan Amendment or Development Regulations Amendment will be held at ------ on the ---- day of ------ ------------, 20-- at the ----------------, -----------------, Newfoundland.

In general terms, the purpose of Municipal Plan Amendment No. X, 20-- is ... 

In general terms, the purpose of Development Regulations Amendment No. X, 20-- is ...

Anyone wishing to make an objection or representation at the Public Hearing shall, at least 2 days before the date set for the Public Hearing, deposit with the Town Clerk of -----, two copies of a signed written statement outlining the objection or representation. If no written objection or representation with respect to the Municipal Plan Amendment or Development Regulations Amendment are received within the time indicated, the Public Hearing may be cancelled.

The ----- Municipal Plan Amendment and Development Regulations Amendment may be inspected during normal business hours at the Town Office, ------------------.

For more information about the Municipal Plan Amendment No. X, 20-- and Development Regulations Amendment No. X, 20-- or the Public Hearing, please call the Town Office at (709) XXX-XXXX.
TOWN OF -----

VARIANCE

The Town Council of ------ has received an application to vary the (describe the numeric requirement that needs to be varied i.e. side yard or front yard) in order to develop a (describe the proposed development i.e. house or shed) at ____________________ (address or description of location of the property). This variance would reduce the ------- from ----- metres to -------- metres. (Please note that the Act and Minister's Regulations specify that a variance cannot reduce the numeric requirement any more than 10 percent).

Before approving this variance, the Town Council of --- wishes to receive any comments or representations on this matter. Anyone wishing to make a comment, objections or representation should submit a written statement to the Town Clerk by ____________.

For more information about this variance, please call the Town Office at XXX-XXXX.

(The Minister's Development Regulations, Section 13 specifies that Council must give written notice to all persons whose land is in the immediate vicinity of the subject property. Council must deliver these notices. It is not obligated to insert a notice in the newspaper but can do so if Council feels it necessary.)
URBAN AND RURAL PLANNING ACT
TOWN OF ----- 
DISCRETIONARY USE NOTICE 

The Town Council of ----- is considering an application for ... (brief description of proposed development and location, i.e. "...the renovation of 123 Busy Street for use as a lounge.") As per the Town of ----- Development Regulations, the proposed development is a discretionary use located in the "----- " zone.

Before making a final decision regarding this application, the Town Council of ----- wishes to receive any comments or representations on this matter. Anyone wishing to make a comment, objections or representation should submit a written statement outlining their concern to the Town Clerk by ------------------.

For more information about this application, please call the Town Office at (709) xxx-xxxx.

(In some instances, Council may wish to hold an open house or to display information concerning the proposed development. If this is the case, the advertisement should specify the time and place of the open house and/or state the time and place where the information can be viewed.)
AFFIDAVIT - OBJECTIONS

NEWFOUNDLAND
CANADA
TO WIT

I, hereby make Oath and say that:

1. The Town Council of ___________ gave notice of the adoption of the ___________ Municipal Plan and Development Regulations by advertisement inserted on the ___ day and the ___ day of ___________, 20__, in the ________________ newspaper.

2. The Town Council of ___________ set the ___ day of ___________, 20__ at ___, at the ________________, ________________ for the holding of a public hearing to consider objections and representations to the ________________ Municipal Plan or Development Regulations.

3. Written objections or representations with respect to the ________________ Municipal Plan or Development Regulations were received at the ________________ Town Office within the time stipulated in the notice of public hearing and the schedule public hearing proceeded as advertised.

4. A copy of the Commissioner’s Report and the written submissions and objections are attached.

5. The Town Council of ___________ approved the ________________ Municipal Plan and Development Regulations as adopted on ___ day of ___________, 20__ (as amended as outlined below):
   a. summary of changes in point form
   b. etc.)

6. The attached Municipal Plan and Development Regulations is a correct copy of the Municipal Plan and Development Regulations approved by the Town Council of ________________ on the ___ day of ___________, 20__.

SWORN to at ________________
this ___ day of ___________, A.D. 20__
before me

______________________________
Notary Public, Justice of the Peace,
Commissioner of Oaths

______________________________
Town Clerk
AFFIDAVIT - NO OBJECTIONS

NEWFOUNDLAND AND LABRADOR

CANADA

TO WIT

I, , hereby make Oath and say that:

1. The Town Council of -------------- gave notice of the adoption of the -------------- Municipal Plan and Development Regulations by advertisement inserted on the ---- day and the ---- day or --------------, 20--, in the ----------------- newspaper.

2. The Town Council of -------------- set the ---- day of --------------, 20-- at ----, at the ----------------- for the holding of a public hearing to consider objections and representations to the -------------- Municipal Plan or Development Regulations.

3. No objections or representations with respect to the -------------- Municipal Plan or Development Regulations were received at the -------------- Town Office within the time stipulated in the notice of public hearing.

4. The Town Council of -------------- cancelled the scheduled public hearing.

5. The Town Council of -------------- approved the -------------- Municipal Plan and Development Regulations as adopted on ---- day of --------------, 20-- (as amended as outlined below:
   a. summary of changes in point form
   b. etc.)

6. The attached Municipal Plan and Development Regulations is a correct copy of the Municipal Plan and Development Regulations approved by the Town Council of -------------- on ---- day of --------------, 20--.

SWORN to at ----------------
this ---- day of ________, A.D. 20--
before me

Notary Public, Justice of the Peace, Commissioner of Oaths

Town Clerk
Steps to Registration

Under the Urban and Rural Planning Act, 2000, Municipal Councils have assumed responsibility for:
- adopting and approving Municipal Plans, Development Regulations and amendments to them;
- organizing and holding the statutory Public Hearing;
- writing and inserting the advertisements for the Public Hearing in the local newspaper;
- appointing their own Commissioner to hold the Public Hearing;
- approving the Municipal Plan, Development Regulations or amendments subject to provincial review and registration; and
- bringing their Municipal Plan, Development Regulations or amendments into legal effect by inserting a notice of registration in the Newfoundland Gazette and local newspaper.

Public Hearing

Councils are responsible for organizing the statutory Public Hearing which is held after Council has made its formal resolution to adopt.

The Public Hearing is an important part of the approval process because:
- it is the last opportunity for residents to raise issues;
- residents can make their objections known to an independent Commissioner;
- it raises public awareness that a Municipal Plan, Development Regulations or amendment has been adopted by Council;
- it provides a chance for the adopted documents to be viewed by the public.

Date, Time and Location

Remember that the Public Hearing process should be as open as possible. Council should choose a date, time and location that is convenient and accessible to residents. Council should be careful to schedule the Public Hearing at a convenient time of day. Council should also try to avoid conflicts with holidays or local events. The location should be central and accessible and must be in its jurisdiction.
Technical Tip:
For a "stand alone" amendment to its Development Regulations, Council is only required to give notice in a local newspaper and consider any submissions before submitting the adopted documents for registration. In these cases, a Public Hearing is not required but may be held if Council wishes.

Choosing a Commissioner
Council must now appoint its own Commissioner to hold the Public Hearing. In choosing a Commissioner, Council should be careful to select someone who is impartial with no connection to any of the parties. Other qualities that Council should look for in its Commissioner are:
- ability to write a report;
- some knowledge of planning or the Town's Municipal Plan;
- good communication skills.

When approaching someone to serve as Commissioner, Council should discuss his or her availability as well as costs. It is up to Council to negotiate suitable remuneration. Council may have to pay a retainer to the Commissioner whether or not the Public Hearing goes ahead. Council may also be responsible for various expenses such as travel and photocopying.

Council may also wish to discuss a deadline for submission of the report with the Commissioner.

According to section 19 (6), the Commissioner cannot be a member or an employee of any Council in Newfoundland and Labrador.

The Urban and Rural Planning Division has a list of people who have expressed interest as serving as a Commissioner. Please contact us if you would like a copy.

Holding a Public Hearing
Council must make arrangements for the Public Hearing including:
- writing and arranging for the ads to appear in the local newspaper;
- booking the room; and
- deciding who will represent Council.

A representative of Council should be prepared to speak. Council may wish to ask its planning consultant to attend.

The Urban and Rural Planning Division has examples of Public Hearing ads.

Section 21 allows Council to cancel the Public Hearing if no objections are received. Council then passes a resolution to approve.

Commissioner's Report
If the Public Hearing goes ahead, the Commissioner will document recommendations in a report for Council’s consideration. After reviewing the report, Council may decide to:
- make changes;
- not to make any changes;
- withdraw the documents; or
- hold another Public Hearing.

Council can then choose to pass a resolution to approve the documents with or without changes.

Registration
The approved documents are sent to the Department of Municipal and Provincial Affairs for registration. The Department’s role is to make sure that Council completed all the steps outlined in the Act. The Department also reviews the approved documents to make sure that they are not contrary to law or provincial policy.

More Technical Tips:
- Council must advertise the Public Hearing twice. The first ad must appear no fewer than 14 days before the Public Hearing. The earliest that the Public Hearing can occur is 15 days after the 1st ad.
- The advertisements must appear at least twice in the local newspaper.
- The adopted documents should be on public display from the date that the first Public Hearing ad appears.
- Objections must be submitted no fewer than 2 days before the date of the Public Hearing.

The Planning Division has resolutions and notices available. Please contact us at (709) 729-3090 if you would like copies. If you need advice about the registration process, please call us!
New Municipal Plan (PROPOSED) – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #2, October 26, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive

Notes: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

'Municipal Plan' refers to the Municipal Plan and associated Development Regulations.

If the Town has yet to establish a Municipal Planning Area, please refer to the 'Municipal Planning Area (MPA) Establishment Process – Department Procedure Guidelines.'

**Note:** All section (s.) and subsection (ss.) references are from the *Urban and Rural Planning Act, 2000.*

Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.

<table>
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<tr>
<th>Step</th>
<th>Responsibility</th>
<th>Task</th>
<th>Decision Required From</th>
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<tbody>
<tr>
<td>1</td>
<td>Consultant</td>
<td>Submit Municipal Plan documents to Clerk.</td>
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<tr>
<td></td>
<td></td>
<td>Submission requirements include:</td>
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<td></td>
<td></td>
<td>1) Should include cover letter, but will not hold up process</td>
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<td>2) One (1) paper copy of all Municipal Plan documents, including any maps</td>
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<td>3) Evidence of s. 14 public consultation</td>
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<td>2</td>
<td>Clerk</td>
<td>Conduct intake tasks:</td>
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<td></td>
<td>1) Record submission date</td>
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<td>2) Create container in TRIM and file submission</td>
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<td>3) Create entry in the Minister’s Registry (Excel)</td>
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<td>4) Action to a Planner</td>
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<td>3</td>
<td>Planner / Planning Technician</td>
<td>Initiate referral to ILUC Coordinator, government agencies and departments, and other stakeholders as needed. (Note: 45 days as opposed to standard 30.)</td>
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<td>Referral includes: (1) cover letter (Schedule A, ILUC letter template), (2) PDF Municipal Plan documents, and (3) ArcGIS mapping files</td>
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<td>4</td>
<td>ILUC Coordinator</td>
<td>Submission is screened and sent to all members of ILUC.</td>
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<tr>
<td>5</td>
<td>ILUC Coordinator</td>
<td>Responses are assembled and a summary report is prepared and submitted to the ILUC Chair for approval.</td>
<td>ILUC Chair</td>
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<tr>
<td>6</td>
<td>Planner / Planning Technician</td>
<td>Review submission for:</td>
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| #7 Planner | If irreconcilable issues are identified (e.g., basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule B, summary review template).  

If no irreconcilable issues are identified and all requirements are met:  
1) Draft s. 15 release letter to Consultant and Town (see Schedule C, letter template). Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation.  
2) Fill out all necessary fields in the Minister’s Registry (TRIM). |

| #8 Consultant / Town | Submit Municipal Plan documents to Clerk.  
Submission requirements include:  
1) *Should include cover letter, but will not hold up process  
2) Two (2) originals of all Municipal Plan documents  
3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)  
   a. Stamped/sealed by MCIP/FCIP, Consultant  
   b. Stamped/sealed by Town  
   c. Signed by Town  
4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)  
   a. Stamped/sealed by Town  
   b. Signed by Town  
5) Two (2) originals for both Future Land Use and Zoning Maps  
   a. Stamped/sealed by MCIP/FCIP, Consultant  
   b. Stamped/sealed by Town  
   c. Signed by Town  
6) One (1) original affidavit  
7) One (1) original Commissioner’s report with copies of representations/objections (if applicable) |

| #9 Clerk | Conduct tasks:  
1) Record submission date  
2) File submission in TRIM  
3) Action to a Planner |

| #10 Planner | Review submission for:  
1) Completeness in step #8  
2) Consistency with submission from section ‘I. Section 15 — Review and Release’  
3) Commissioner’s recommendation, if applicable  
4) Additional provincial law or policy identified since ‘I. Section 15 — Review and Release’ (rare) |

| #11 Planner | If irreconcilable issues are identified, draft letter to Consultant / Town indicating that the submission will not be registered (see Schedule D, letter template). The letter must include the reasons why the documents cannot be registered.  

The letter must be reviewed and signed by the Director.  
If no irreconcilable issues are identified and all requirements are met:  
1) Stamp documents and fill out registration info:  
   a. Two (2) Resolution to Approve originals, |

Director (Delegated Authority)
III. **Notice of Registration and Publication**

| #12 | Clerk | 1) Draft notice of registration letter (see Schedule E, letter template)  
2) Send registration documents to Town  
   a. Signed letter  
   b. One (1) original of signed Municipal Plan documents, including Resolution to Approve and map documents  
   c. Email copies as well  
3) File one (1) original in our hardcopy registry  
4) Fill out all necessary fields in the Minister’s Registry (TRIM) |
|-----|-------|:---:
| #13 | Town | Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)). |
| #14 | Clerk | Upon verification of notice being published in the NL Gazette, update Minister’s Registry (TRIM). |
New Municipal Plan – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #3, October 26, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive

Notes: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

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<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule A, summary review template).</td>
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2) Fill out all necessary fields in the Minister’s Registry (TRIM).

### II. Section 24 Registration Submission

<table>
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<tr>
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<th>Planner</th>
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<td></td>
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<td></td>
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<td>3) Commissioner’s recommendation, if applicable</td>
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<td></td>
<td>4) Additional provincial law or policy identified since ‘i’. Section 15 – Review and Release’ (rare)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#8</th>
<th>Planner</th>
<th>If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>If the Town does not accept the Planner’s recommendation and is unwilling to rectify the above-noted issues, a Decision Note is required for a formal refusal (rare).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If no irreconcilable issues are identified and all requirements are met:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1) Stamp documents including the registration # and ‘sign here’ sticky</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total</td>
</tr>
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<td></td>
<td>b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total</td>
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<tr>
<td></td>
<td></td>
<td>2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Give physical file to Clerk; action Clerk in TRIM (recommended for registration)</td>
</tr>
</tbody>
</table>

Page 2 of 3
<table>
<thead>
<tr>
<th>#</th>
<th>Role</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Clerk</td>
<td>1) Draft registration letter (see Schedule C, letter template)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Give physical file to Minister's Assistant; action</td>
</tr>
<tr>
<td></td>
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<td>Assistant in TRIM (recommended for registration;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>letter and documents to be signed).</td>
</tr>
<tr>
<td>10</td>
<td>Minister's Assistant</td>
<td>1) Provide documents to Minister for decision (signatures)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Give physical file to Clerk; action Clerk in TRIM (documents are registered)</td>
</tr>
<tr>
<td>11</td>
<td>Clerk</td>
<td>1) Send registration documents to Town</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a. Signed letter (Schedule D, letter template)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>b. One (1) original of signed Municipal Plan documents, including Resolution to Approve</td>
</tr>
<tr>
<td></td>
<td></td>
<td>and map documents</td>
</tr>
<tr>
<td></td>
<td></td>
<td>c. Email copies as well</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) File one (1) original in our hardcopy registry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3) Fill out all necessary fields in the Minister's Registry (TRIM)</td>
</tr>
<tr>
<td>12</td>
<td>Town</td>
<td>Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the registration (ss. 24(2)).</td>
</tr>
<tr>
<td>13</td>
<td>Clerk</td>
<td>Upon verification of notice being published in the NL Gazette, update Minister's Registry</td>
</tr>
<tr>
<td></td>
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<td>(TRIM).</td>
</tr>
</tbody>
</table>
Municipal Plan Amendment *(PROPOSED)* – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #3, October 26, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive

*Note: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.*

'Municipal Plan' refers to the Municipal Plan and associated Development Regulations.

*Note: All section (s.) and subsection (ss.) references are from the Urban and Rural Planning Act, 2000. Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.*

<table>
<thead>
<tr>
<th>Step</th>
<th>Responsibility</th>
<th>Task</th>
<th>Decision Required From</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Section 15 Review and Release – Reviewing for Provincial Interest, Policy and Law</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#1</td>
<td>Consultant</td>
<td>Submit Municipal Plan Amendment (MPA) documents to Clerk. Submission requirements include: 1) <em>Should include cover letter, but will not hold up process</em> 2) One (1) paper copy of all MPA documents, including any maps 3) Resolution to Adopt and Resolution to Approve templates 4) Evidence of s. 14 public consultation</td>
<td>Clerk</td>
</tr>
<tr>
<td>#2</td>
<td>Clerk</td>
<td>Conduct intake tasks: 1) Record submission date 2) Create container in TRIM and file submission 3) Create entry in the Minister’s Register (Excel) 4) Action to a Planner</td>
<td>Planner</td>
</tr>
<tr>
<td>#3</td>
<td>Planner</td>
<td>Review submission for: 1) Completeness in step #2 2) Provincial interest, policy or law; use discretion in forwarding to appropriate department or agency for review (this may entail an ILUC referral)</td>
<td>Planner</td>
</tr>
<tr>
<td>#4</td>
<td>Planner</td>
<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule A, summary review template). If no irreconcilable issues are identified and all requirements are met: 1) Draft s. 15 release letter to Consultant and Town (see Schedule B, letter template). Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation. 2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
<td>Planner</td>
</tr>
<tr>
<td>II. Section 24 Registration Submission</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>#5</td>
<td>Consultant / Town</td>
<td>Submit MPA documents to Clerk. Submission requirements include: 1) <em>Should include cover letter, but will not hold up process</em> 2) Two (2) originals of all MPA documents 3) Two (2) originals of Resolution to Adopt (two (2)</td>
<td>Clerk</td>
</tr>
</tbody>
</table>
| #6            | Clerk | Conduct intake tasks:  
|              |       | 1) Record submission date  
|              |       | 2) File submission in TRIM  
|              |       | 3) Action to a Planner  

| #7           | Planner | Review submission for:  
|             |         | 1) Completeness in step #5  
|             |         | 2) Consistency with submission from section ‘l’.  
|             |         | Section 15 – Review and Release  
|             |         | 3) Commissioner’s recommendation, if applicable  
|             |         | 4) Additional provincial law or policy identified since  
|             |         | ‘l’. Section 15 – Review and Release’ (rare)  

| #8           | Planner | If irreconcilable issues are identified, draft letter to  
|             |         | Consultant / Town indicating that the submission will not  
|             |         | be registered (see Schedule C, letter template). The letter  
|             |         | must include the reasons why the documents cannot be  
|             |         | registered.  
|             |         | The letter must be reviewed and signed by the Director.  

If no irreconcilable issues are identified and all requirements are met:  
1) Stamp documents and fill out registration info:  
   a. Two (2) Resolution to Approve originals,  
      each for the Municipal Plan and  
      Development Regulations—four (4) in total  
   b. Two (2) map originals, each for the Future  
      Land Use Map and Development  
      Regulations—four (4) in total  
2) Fill out all necessary fields in the Minister’s registry  
   (TRIM)  
3) Give physical file to Clerk for mailing; action Clerk  
   in TRIM  

### III. Notice of Registration and Publication

| #9            | Clerk | 1) Draft notice of registration letter (see Schedule D,  
|              |       | letter template)  
|              |       | 2) Send registration documents to Town  
|              |       | a. Signed letter  
|              |       | b. One (1) original of signed MPA documents,  
|              |       | including Resolution to Approve and map  
|              |       | documents  
|              |       | c. Email copies as well  
|              |       | 3) File one (1) original in our hardcopy registry  
|              |       | 4) Fill out all necessary fields in the Minister’s  
|              |       | Registry (TRIM)  

Director  
(Delegated Authority)
<table>
<thead>
<tr>
<th>#10</th>
<th>Town</th>
<th>Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)).</th>
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<tbody>
<tr>
<td>#11</td>
<td>Clerk</td>
<td>Upon verification of notice being published in the NL Gazette, update Minister’s Registry (TRIM).</td>
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</table>
Note: All section (s.) and subsection (ss.) references are from the *Urban and Rural Planning Act, 2000*. Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.

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<td>2) One (1) paper copy of all MPA documents, including any maps</td>
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<td>3) Resolution to Adopt and Resolution to Approve templates</td>
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<td>2) Create container in TRIM and file submission</td>
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<td>4) Action to a Planner</td>
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<td>Planner</td>
<td>Review submission for:</td>
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<td>#4</td>
<td>Planner</td>
<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule A, summary review template).</td>
<td>Planner</td>
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<td></td>
<td></td>
<td>1) Draft s. 15 release letter to Consultant and Town (see Schedule B, letter template). Letter is sent via email and regular mail.</td>
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<td>2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
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</table>
|   | Regulations)  
  a. Stamped/sealed by MCIP/FCIP, Consultant  
  b. Stamped/sealed by Town  
  c. Signed by Town  
  4) Two (2) originals of Resolution to Approve (two (2)) each for Municipal Plan and Development Regulations)  
  a. Stamped/sealed by Town  
  b. Signed by Town  
  5) Two (2) originals for both Future Land Use and Zoning Maps  
  a. Stamped/sealed by MCIP/FCIP, Consultant  
  b. Stamped/sealed by Town  
  c. Signed by Town  
  6) One (1) original affidavit  
  7) One (1) original Commissioner’s report with copies of representations/objections (if applicable) |
| #6 Clerk | Conduct intake tasks:  
  1) Record submission date  
  2) File submission in TRIM  
  3) Action to a Planner |
| #7 Planner | Review submission for:  
  1) Completeness in step #5  
  2) Consistency with submission from section ‘l. Section 15 – Review and Release’  
  3) Commissioner’s recommendation, if applicable  
  4) Additional provincial law or policy identified since ‘l. Section 15 – Review and Release’ (rare) |
| #8 Planner | If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed.  
If the Town does not accept the Planner’s recommendation and is unwilling to rectify the above-noted issues, a Decision Note is required for a formal refusal (rare).  
If no irreconcilable issues are identified and all requirements are met:  
  1) Stamp documents including the registration # and ‘sign here’ sticky  
  a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total  
  b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total  
  2) Fill out all necessary fields in the Minister’s Registry (TRIM).  
  3) Give physical file to Clerk; action Clerk in TRIM (recommended for registration)  
 | Director / ADM/ DM / Minister |
| IV: Notice of Registration and Publication | Clerk  
  1) Draft registration letter (see Schedule C, letter template)  
  2) Give physical file to Minister’s Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed) |
| #10 Minister’s Assistant | 1) Provide documents to Minister for decision (signatures)  
  2) Give physical file to Clerk; action Clerk in TRIM (documents are registered) |
| #11 Clerk | 1) Send registration documents to Town  
  a. Signed letter |
b. One (1) original of signed MPA documents, including Resolution to Approve and map documents
   c. Email copies as well
      2) File one (1) original in our hardcopy registry
      3) Fill out all necessary fields in the Minister’s Registry (TRIM)

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<th>Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)).</th>
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<td>Clerk</td>
<td>Upon verification of notice being published in the NL Gazette, update Minister’s Registry (TRIM).</td>
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</tbody>
</table>
**Municipal Plan Review (PROPOSED) – Department Procedure Guidelines**  
**Prepared by:** Andrew Smith, MCIP  
**Revision and Date:** #3, October 26, 2017  
**Prepared for:** Department of Municipal Affairs and Environment, Executive

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<tr>
<td><strong>I. Notice of Municipal Plan Review</strong></td>
<td></td>
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</tr>
<tr>
<td>#1</td>
<td>Consultant / Town</td>
<td>Submit request directly to a Planner and/or the Clerk that the Town is conducting a Municipal Plan Review (MPR).</td>
<td></td>
</tr>
<tr>
<td>#2</td>
<td>Planner / Clerk</td>
<td>Refer Consultant to the Division website to access GIS base mapping files (end user agreement) and info sheet on the MPR process (Schedule A, MPR Info Sheet). As a separate link and schedule to the info sheet, the Consultant will also need to download precompiled comments from agencies and departments (these are date stamped and updated regularly for accuracy) (Schedule B, Precompiled Comments template). Resolution to Adopt and Resolution to Approve templates must also be downloaded (Schedule C, Resolution Templates). (Note: The Schedule A, MPR Info Sheet must also include the following caveat: “Please note that the Department will no longer be forwarding Municipal Plan Review and New Municipal Plan requests through the Interdepartmental Land Use Committee (ILUC) prior to the first section 15 submission to our Department. It is the Consultant’s responsibility to liaise directly with the agencies and departments of Government at this stage in the process. The draft Municipal Plan and Development Regulations, in their entirety, will be sent through ILUC upon receipt of the first section 15 submission.”)</td>
<td></td>
</tr>
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</table>

**II. Section 15 Review and Release – Reviewing for Provincial Interest, Policy and Law**

<table>
<thead>
<tr>
<th>Step</th>
<th>Responsibility</th>
<th>Task</th>
<th>Decision Required From:</th>
</tr>
</thead>
</table>
| #3 | Consultant | Submit MPR documents to Clerk. Submission requirements include:  
1) One (1) paper copy of all MPR documents, including any maps  
2) Resolution to Adopt and Resolution to Approve templates  
3) Evidence of s. 14 public consultation | |
| #4 | Clerk | Conduct intake tasks:  
1) Record submission date  
2) Create container in TRIM and file submission  
3) Create entry in the Minister’s Registry (Excel)  
4) Action to a Planner | |
| #5 | Planner / Planning Technician | Initiate referral to ILUC Coordinator, government agencies and departments, and other stakeholders as needed. (Note: 45 days as opposed to standard 30.) Referral includes: (1) cover letter (Schedule C, ILUC letter template), (2) PDF MPR documents, and (3) ArcGIS | |

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| #6 | ILUC Coordinator | Submission is screened and sent to all members of ILUC. |
| #7 | ILUC Coordinator | Responses are assembled and a summary report is prepared and submitted to the ILUC Chair for approval. | ILUC Chair |

**Note:** Step #8 (review) can start concurrently with step #5 (ILUC submission).

| #8 | Planner / Planning Technician | Review submission for: |
| | | 1) *Should include cover letter, but will not hold up process* |
| | | 2) Evidence of public consultation (s. 14) |
| | | 3) Basic requirements of ss. 13(2) and ss. 35(1) are fulfilled |
| | | 4) Provincial interest, policy or law are upheld; this generally entails cross referencing ILUC comments with the Municipal Plan, but additional referrals may be required |
| | | 5) Forward to Planning Technician to review maps for mapping compliance |

| #9 | Planner | If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule D, letter template). |
| | | **If no irreconcilable issues are identified and all requirements are met:** |
| | | 1) Draft s. 15 release letter to Consultant and Town (see Schedule E, section 15 letter template). Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation. |
| | | 2) Fill out all necessary fields in the Minister’s Registry (TRIM). |

**III. Section 24 Registration Submission**

| #10 | Consultant / Town | Submit MPR documents to Clerk. |
| | | **Submission requirements include:** |
| | | 1) *Should include cover letter, but will not hold up process* |
| | | 2) Two (2) originals of all Municipal Plan Review documents |
| | | 3) Two (2) originals of Resolution to Adopt: (two (2) each for Municipal Plan and Development Regulations) |
| | | a. Stamped/sealed by MCIP/FCIP, Consultant |
| | | b. Stamped/sealed by Town |
| | | c. Signed by Town |
| | | 4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations) |
| | | a. Stamped/sealed by Town |
| | | b. Signed by Town |
| | | 5) Two (2) originals for both Future Land Use and Zoning Maps |
| | | a. Stamped/sealed by MCIP/FCIP, Consultant |
| | | b. Stamped/sealed by Town |
| | | c. Signed by Town |
| | | 6) One (1) original affidavit |
| | | 7) One (1) original Commissioner’s report and copies of representations/objections (if applicable) |

<p>| #11 | Clerk | Conduct intake tasks: |
| | | 1) Record submission date |
| | | 2) File submission in TRIM |</p>
<table>
<thead>
<tr>
<th>#12 Planner</th>
<th>Review submission for:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Completeness in step #10</td>
<td></td>
</tr>
<tr>
<td>2) Consistency with submission from section ‘II. Section 15 – Review and Release’</td>
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</tr>
<tr>
<td>3) Commissioner’s recommendation, if applicable</td>
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<tr>
<td>4) Additional provincial law or policy identified since ‘II. Section 15 – Review and Release’ (rare)</td>
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<thead>
<tr>
<th>#13 Planner</th>
<th>If irreconcilable issues are identified, draft letter to Consultant / Town indicating that the submission will not be registered (see Schedule F, letter template). The letter must include the reasons why the documents cannot be registered.</th>
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<tr>
<td></td>
<td>The letter must be reviewed and signed by the Director. If no irreconcilable issues are identified and all requirements are met:</td>
</tr>
<tr>
<td></td>
<td>1) Stamp documents and fill out registration info:</td>
</tr>
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<td>a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total</td>
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<td>b. Two (2) map originals, each for the future Land Use Map and Development Regulations—four (4) in total</td>
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<td>2) Fill out all necessary fields in the Minister’s registry (TRIM)</td>
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<td>3) Give physical file to Clerk for mailing; action Clerk in TRIM</td>
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<thead>
<tr>
<th>IV. Notice of Registration and Publication</th>
</tr>
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<tbody>
<tr>
<td>#14 Clerk</td>
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| #15 Town | Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)). |

| #16 Clerk | Upon verification of notice being published in the NL Gazette, update Minister’s Registry (TRIM). |
Notes: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

'Municipal Plan' refers to the Municipal Plan and associated Development Regulations.

Note: All section (s.) and subsection (ss.) references are from the Urban and Rural Planning Act, 2000. Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.

<table>
<thead>
<tr>
<th>Step</th>
<th>Responsibility</th>
<th>Task</th>
<th>Decision Required From</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>Consultant / Town</td>
<td>Submit request directly to a Planner and/or the Clerk that the Town is conducting a Municipal Plan Review (MPR); this triggers the ILUC referral for consultation under s. 14.</td>
<td></td>
</tr>
<tr>
<td>#2</td>
<td>Planner / Planning Technician</td>
<td>Refer Consultant to Planning Technician to retrieve base mapping data if required; a digital data agreement is required prior to releasing info (Schedule A, Digital Data Agreement template).</td>
<td></td>
</tr>
<tr>
<td>#3</td>
<td>Planner / Planning Technician</td>
<td>Initiate referral to ILUC Coordinator, government agencies and departments, and other stakeholders as needed. Referral includes: (1) cover letter (Schedule B, ILUC letter template) and (2) PDF, ArcGIS and Google Earth mapping files.</td>
<td></td>
</tr>
<tr>
<td>#4</td>
<td>ILUC Coordinator</td>
<td>Submission is screened and sent to all members of ILUC.</td>
<td>ILUC Chair</td>
</tr>
<tr>
<td>#5</td>
<td>ILUC Coordinator</td>
<td>Responses are assembled and a summary report is prepared and submitted to the ILUC Chair for approval.</td>
<td></td>
</tr>
<tr>
<td>#6</td>
<td>Planner</td>
<td>Forward ILUC summary report to the Consultant and Town.</td>
<td></td>
</tr>
</tbody>
</table>

II. Section 15 Review and Release — Reviewing for Provincially Interest, Policy and Law

#7 Consultant | Submit MPR documents to Clerk. |

Submission requirements include:
1) *Should include cover letter, but will not hold up process
2) One (1) paper copy of all Municipal Plan Review documents, including any maps
3) Resolution to Adopt and Resolution to Approve templates
4) Evidence of s. 14 public consultation

#8 Clerk | Conduct intake tasks:
1) Record submission date
2) Create container in TRIM and file submission
3) Create entry in the Minister’s Registry (Excel)
4) Action to a Planner

#9 Planner / Planning Technician | Review submission for:
1) *Should include cover letter, but will not hold up process
2) Accuracy of Resolution to Adopt and Resolution to Approve templates
3) Evidence of public consultation (s. 14)
4) Basic requirements of ss. 13(2) and ss. 35(1) are fulfilled
5) Provincial interest, policy or law are upheld; this generally entails cross referencing ILUC comments with the Municipal Plan, but additional referrals may be required
6) Forward to Planning Technician to review maps for mapping compliance

| #10  | Planner | If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant / Townsend via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule C, summary review template).
If no irreconcilable issues are identified and all requirements are met:
1) Draft s. 15 release letter to Consultant and Townsend (see Schedule D, letter template). Letter is sent via email and regular mail.
2) Fill out all necessary fields in the Minister’s Registry (TRIM).

| #11  | Consultant / Town | Submit MPR documents to Clerk.
Submission requirements include:
1) *Should include cover letter, but will not hold up process
2) Two (2) originals of all Municipal Plan (amendment) documents
3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)
   a. Stamped/sealed by MCIP/FCIP, Consultant
   b. Stamped/sealed by Town
   c. Signed by Town
4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)
   a. Stamped/sealed by Town
   b. Signed by Town
5) Two (2) originals for both Future Land Use and Zoning Maps
   a. Stamped/sealed by MCIP/FCIP, Consultant
   b. Stamped/sealed by Town
   c. Signed by Town
6) One (1) original affidavit
7) One (1) original Commissioner’s report with copies of representations/objections (if applicable)

| #12  | Clerk | Conduct intake tasks:
1) Record submission date
2) File submission in TRIM
3) Action to a Planner

| #13  | Planner | Review submission for:
1) Completeness in step #11
2) Consistency with submission from section ‘II. Section 15 – Review and Release’
3) Commissioner’s recommendation, if applicable
4) Additional provincial law or policy identified since ‘II. Section 15 – Review and Release’ (rare)

| #14  | Planner | If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed. | Director / ADM/DM / Minister

Page 2 of 3

MAE 126 2019 PART 1 Page 43
If the Town does not accept the Planner’s recommendation, a Decision Note is required for a formal refusal (rare).

If no irreconcilable issues are identified and all requirements are met:

1) Stamp documents including the registration # and ‘sign here’ sticky
   a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total
   b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total
2) Fill out all necessary fields in the Minister’s Registry (TRIM)
3) Give physical file to Clerk; action Clerk in TRIM (recommended for registration)

<table>
<thead>
<tr>
<th>IV. Notice of Registration and Publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>#15 Clerk</td>
</tr>
<tr>
<td>1) Draft registration letter (see Schedule D, letter template)</td>
</tr>
<tr>
<td>2) Give physical file to Minister’s Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed).</td>
</tr>
</tbody>
</table>

| #16 Minister’s Assistant                |
| 1) Provide documents to Minister for decision (signatures) |
| 2) Give physical file to Clerk; action Clerk in TRIM (documents are registered) |

| #17 Clerk                               |
| 1) Send registration documents to Town |
| a. Signed letter (Schedule E, letter template) |
| b. One (1) original of signed Municipal Plan (amendment) documents, including Resolution to Approve and map documents |
| c. Email copies as well |
| 2) File one (1) original in our hardcopy registry |
| 3) Fill out all necessary fields in the Minister’s Registry (TRIM) |

| #18 Town                                |
| Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)). |

| #19 Clerk                               |
| Upon verification of notice being published in the NL Gazette, update Minister’s Registry (TRIM). |
Ms. Tara Kelly  
Assistant Deputy Minister  
Fire, Emergency and Corporate Services  
Department of Municipal Affairs and Environment  

Dear Ms. Kelly:  

Re: Delegation of Authority for Land Use Planning Matters under Urban and Rural Planning Act, 2000  

Pursuant to subsection 109(1) of the Urban and Rural Planning Act, 2000, I hereby delegate the following duties, powers and functions under this Act to the Director of Local Governance and Land Use Planning within your Branch of the Department of Municipal Affairs and Environment:  

- Review of government policy and municipal plans and development regulations registration under subsection 24(1);  
- Establishment and maintenance of a planning registry of plans under subsection 24(1);  
- Establishment and maintenance of a register of expropriation approvals under subsection 59(2);  
- Establishment and maintenance of a register of purchase notices under section 100;  
- Designating a planning area and defining the boundaries – as a regional planning area under subsection 6(3), and as a municipal planning area under subsection 11(1);  
- Administering Protected Road Zone Plans and Amendments under subsection 32(3);  
- Appointment of commissioner where the Minister is the authority for plans under section 9 and Part IV of the Urban and Rural Planning Act, 2000; and  
- Administration approvals/registrations of plans under section 9 and Part IV of the Urban and Rural Planning Act, 2000.  

Each delegation of authority shall continue in effect until revoked in writing by the Minister of Municipal Affairs and Environment.  

Dated at St John’s, NL this 24 day of January, 2018.  

EDDIE JOYCE  
Minister
Potential Delegated Authorities under the *Urban and Rural Planning Act, 2000* to the Director of Local Governance and Planning

<table>
<thead>
<tr>
<th>1. Little to No Discretion / Procedural (I.e. Little to No Leeway from Staff or JPS Recommendation)</th>
<th>2. Moderate Discretion / Relatively Isolated Planning Implications (E.g. Rezoning of Specific Properties)</th>
<th>3. High Discretion / Broad Planning Implications (E.g. New Plans)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration of Municipal Plans and Development Regulations (24(1))</td>
<td>Amendments to Ministerial Regional Plans (9)</td>
<td>New / Review of Ministerial Regional Plans (9)</td>
</tr>
<tr>
<td>Planning Registry (24(1))</td>
<td>Amendment to Local, Protected Area, and Protected Road Plans (Part IV and 96(9))</td>
<td>New / Review of Local, Protected Area, and Protected Road Plans (Part IV and 96(9))</td>
</tr>
<tr>
<td>Purchase Notice Decisions (Part X)*</td>
<td></td>
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</tr>
<tr>
<td>Purchase Notice Registry (100)</td>
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<tr>
<td>Appointment of Commissioner for Ministerial Plans</td>
<td></td>
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<tr>
<td>Approval to Expropriate from Municipal or Regional Authority Request (Part IX)*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expropriation Registry (59(2))</td>
<td></td>
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</tr>
<tr>
<td>Designating Planning Areas (6(3)) and 11(1))</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Not advanced at this time in DOC/2017/05356, additional analysis to follow*
Ms. Tara Kelly
Assistant Deputy Minister
Fire, Emergency and Corporate Services
Department of Municipal Affairs and Environment

Dear Ms. Kelly:

Re: Delegation of Authority for Land Use Planning Matters under the *Urban and Rural Planning Act, 2000*

Pursuant to subsection 109(1) of the *Urban and Rural Planning Act, 2000*, I hereby delegate the following duties, powers and functions under this Act to the Director of Local Governance and Land Use Planning within your Branch of the Department of Municipal Affairs and Environment:

- Review of government policy and municipal plans and development regulations registration under subsection 24 (1);
- Establishment and maintenance of a planning registry of plans under subsection 24 (1);
- Establishment and maintenance of a register of expropriation approvals under subsection 59(2);
- Establishment and maintenance of a register of purchase notices under section 100;
- Administering Protected Road Zone Plans and Amendments under subsection 32(3);
- Appointment of commissioner where the Minister is the authority for plans under section 9 and Part IV of the *Urban and Rural Planning Act, 2000*; and
- Administration approvals/registrations of plans under section 9 and Part IV of the *Urban and Rural Planning Act, 2000*.

Each delegation of authority shall continue in effect until revoked in writing by the Minister of Municipal Affairs and Environment.

DATED at St. John’s, NL this 10th day of May, 2018.

ANDREW PARSONS, QC
Minister of Municipal Affairs and Environment
Ms. Tara Kelly
Assistant Deputy Minister
Fire, Emergency and Corporate Services
Department of Municipal Affairs and Environment

Dear Ms. Kelly:

Re: Delegation of Authority for Land Use Planning Matters under the *Urban and Rural Planning Act, 2000*

Pursuant to subsection 109(1) of the *Urban and Rural Planning Act, 2000*, I hereby delegate the following duties, power and functions under this Act to the Director of Local Governance and Land Using Planning within your Branch of the Department of Municipal Affairs and Environment:

- Review of government policy and municipal plans and development regulations registration under subsections 15 and 24;
- Establishment and maintenance of a planning registry of plans under subsection 24(1);
- Establishment and maintenance of a registry of expropriation approvals under subsection 59(2);
- Establishment and maintenance of a registry of purchase notices under section 100;
- Administering Protected Road Zone Plans and Amendments under subsection 32(3);
- Appointment of a commissioner where the Minister is the authority for plans under section 9 and Part 1V of the *Urban and Rural Planning Act, 2000*, and
- Administration approvals/registration of plans under section 9 and Part 1V of the *Urban and Rural Planning Act, 2000*.

Each delegation of authority shall continue in effect until revoked in writing by the Minister of Municipal Affairs and Environment.

DATED at St. John's, NL, this 19 day of November 2018.

GRAHAM LETTO, MHA
District of Labrador West
Minister of Municipal Affairs and Environment
Ms. Tara Kelly  
Assistant Deputy Minister  
Fire, Emergency and Corporate Services  
Department of Municipal Affairs and Environment  

Dear Ms. Kelly:  

Re: Delegation of Authority for Land Use Planning Matters under the Urban and Rural Planning Act, 2000  

Pursuant to subsection 109(1) of the Urban and Rural Planning Act, 2000, I hereby delegate the following duties, power and functions under this Act to the Director of Local Governance and Land Using Planning within your Branch of the Department of Municipal Affairs and Environment:  

- Review of government policy and municipal plans and development regulations registration under subsections 15 and 24;  
- Establishment and maintenance of a planning registry of plans under subsection 24(1);  
- Establishment and maintenance of a registry of expropriation approvals under subsection 59(2);  
- Establishment and maintenance of a registry of purchase notices under section 100;  
- Administering Protected Road Zone Plans and Amendments under subsection 32(3);  
- Appointment of a commissioner where the Minister is the authority for plans under section 9 and Part 1V of the Urban and Rural Planning Act, 2000, and,  
Each delegation of authority shall continue in effect until revoked in writing by the Minister of Municipal Affairs and Environment.

DATED AT St. John’s, NL, this ___ day of June, 2019.

Sincerely,

LISA DEMPSTER, MHA
Cartwright – L’Anse au Clair
Minister
### Land Use Planning Processes

**Initial Request**
- Project received from Town/Council
  - Including request meeting and boundary data

**Responsible Party**
- External: Town or Consultant
- External: Other Gov Agency (e.g., ELC or Leg CAL)
- Internal: Planner
  - Optional: at the discretion of the Planner
- Internal: GIS Technician

**Year:** June 10, 2009

<table>
<thead>
<tr>
<th>Stages</th>
<th>Initial Request</th>
<th>Review of Request</th>
<th>Approval</th>
<th>Public Hearing</th>
<th>Adoption by Authority</th>
<th>Finalization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action</td>
<td>Project received from Town/Council</td>
<td>Meeting and Boundary Data</td>
<td>Approved by Coordinator</td>
<td>Public Hearing</td>
<td>Adoption by Authority</td>
<td>Finalized</td>
</tr>
</tbody>
</table>

**Review of Request**
- GIS Technician reviews map and data for accuracy
- GIS Technician provides feedback to Planner
  - GIS Technician sends feedback to Coordinator
  - GIS Summary sent to Town/Consultant
  - GIS Summary sent to GIS Consultant (if mapping related)

**Approval**
- GIS Technician confirms final map and data
  - GIS Technician sends document to Coordinator
  - GIS Technician sends final version to Town/Consultant
  - GIS Technician sends final version to GIS Consultant (if mapping related)

**Public Hearing**
- GIS Technician sends notice of hearing to stakeholders
  - GIS Technician sends notice to Town/Consultant
  - GIS Technician sends notice to GIS Consultant
  - GIS Technician confirms final map and data

**Adoption by Authority**
- GIS Technician confirms final map and data
  - GIS Technician sends final version to Town/Consultant
  - GIS Technician sends final version to GIS Consultant

**Finalization**
- GIS Technician confirms final map and data
  - GIS Technician sends final version to Town/Consultant
  - GIS Technician sends final version to GIS Consultant
This is a really rough draft, and is much more 'admin focused' than previous (I figured the additional detail is warranted here, where it's a high volume app type and may benefit from the lean review).

A.
Municipal Plan (New, Review, or Amendment) – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #1, September 22, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive Council

Note: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

Note: All section (s.) and subsection (ss.) references are from the Urban and Rural Planning Act, 2000. Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.

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<th>Task</th>
<th>Decision Required From</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I. Notice of Municipal Plan Review – ILUC Referral</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
‘Municipal Plan’ refers to the Municipal Plan and associated Development Regulations.

If this a new Municipal Plan request, refer to the ‘Municipal Planning Area (MPA) Process – Department Procedure Guidelines,’ which also entails initiating the ILUC referral.

If this is a Municipal Plan amendment request, skip directly to section II.

#1 Consultant / Town
Submit request directly to a Planner and/or the Clerk that the Town is conducting a Municipal Plan Review (MPR); this triggers the ILUC referral for consultation under s. 14.

#2 Planner
Initiate referral to ILUC Coordinator, government agencies and departments, and other stakeholders as needed.

Referral includes: (1) cover letter (Schedule A, ILUC letter template) and (2) PDF, ArcGIS and Google Earth mapping files.

#3 ILUC Coordinator
Submission is screened and sent to all members of ILUC.

#4 ILUC Coordinator
Responses are assembled and a summary report is prepared and submitted to the ILUC Chair for approval.

#5 Planner
Forward ILUC summary report to the Consultant and Town.

II. Section 15 Review and Release – Reviewing for Provincial Interest, Policy and Law

#6 Consultant
Submit Municipal Plan (amendment) documents to Clerk.

Submission requirements include:
1) One (1) paper copy of all Municipal Plan (amendment) documents, including any maps
2) Resolution to Adopt and Resolution to Approve templates
3) Evidence of s. 14 public consultation

#7 Clerk
Conduct intake tasks:
1) Record submission date
2) Create container in TRIM and file submission
3) Create entry in the Minister’s Register (Excel Sheet)
4) Action to a Planner

#8 Planner
Municipal Plan Amendment

Review submission for:
1) Completeness in step #6
2) Provincial interest, policy or law; use discretion in forwarding to appropriate department or agency for review (note: this may entail an ILUC referral)
<table>
<thead>
<tr>
<th>New Municipal Plan or Municipal Plan Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review submission for:</td>
</tr>
<tr>
<td>1) *Should include cover letter, but will not hold up process</td>
</tr>
<tr>
<td>2) Accuracy of Resolution to Adopt and Resolution to Approve templates</td>
</tr>
<tr>
<td>3) Evidence of public consultation (s. 14)</td>
</tr>
<tr>
<td>4) Basic requirements of ss. 13(2) and ss. 35(1) are fulfilled</td>
</tr>
<tr>
<td>5) Provincial interest, policy or law are upheld; this generally entails cross referencing ILUC comments with the Municipal Plan, but additional referrals may be required</td>
</tr>
<tr>
<td>6) Forward to Planning Technician to review maps for MIMS compliance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#9 Planner</th>
<th>#9 Planner</th>
</tr>
</thead>
<tbody>
<tr>
<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule B, summary review template).</td>
<td></td>
</tr>
<tr>
<td>If no irreconcilable issues are identified and all requirements are met:</td>
<td></td>
</tr>
<tr>
<td>1) Draft an s. 15 release letter to Consultant and Town. Letter attachment is sent via email to Consultant and Town. Planner actions Clerk to prepare standard mail-out of s. 15 release letter. [Perhaps we can skip this step if we receive receipt reply confirmation; would save $ and Clerk time?!!!]</td>
<td></td>
</tr>
<tr>
<td>2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 24 Registration Submission</th>
</tr>
</thead>
<tbody>
<tr>
<td>#10 Consultant / Town</td>
</tr>
<tr>
<td>Submit Municipal Plan (amendment) documents to Clerk.</td>
</tr>
<tr>
<td>Submission requirements include:</td>
</tr>
<tr>
<td>1) *Should include cover letter, but will not hold up process</td>
</tr>
<tr>
<td>2) Two (2) originals of all Municipal Plan (amendment) documents</td>
</tr>
<tr>
<td>3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)</td>
</tr>
<tr>
<td>a. Stamped/sealed by MCIP/FCIP, consultant Planner</td>
</tr>
<tr>
<td>b. Stamped/sealed by Town</td>
</tr>
<tr>
<td>c. Signed by Town</td>
</tr>
<tr>
<td>4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)</td>
</tr>
<tr>
<td>a. Stamped/sealed by Town</td>
</tr>
<tr>
<td>b. Signed by Town</td>
</tr>
<tr>
<td>5) Two (2) originals for both Future Land Use and Zoning Maps</td>
</tr>
<tr>
<td>a. Stamped/sealed by MCIP/FCIP, consultant Planner</td>
</tr>
<tr>
<td>b. Stamped/sealed by Town</td>
</tr>
<tr>
<td>c. Signed by Town</td>
</tr>
<tr>
<td>6) One (1) original affidavit</td>
</tr>
<tr>
<td>7) One (1) original Commissioner’s report (if needed)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>---</td>
</tr>
</tbody>
</table>
| #11 Clerk | Conduct intake tasks:  
   1) Record submission date  
   2) File submission in TRIM  
   3) Action to a Planner |   |
| #12 Planner | Review submission for:  
   1) Completeness in step #10  
   2) Consistency with submission from section 'II. Section 15 – Review and Release'  
   3) Commissioner’s recommendation, if applicable  
   4) Additional provincial law or policy identified since 'II. Section 15 – Review and Release' (rare) |   |
|    | Planner | If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed (e.g. re-submit for s. 15 review and release).  
   If the Town does not accept the Planner’s recommendation, a Decision Note may have to be drafted for a formal refusal (Director? Delegated authority?) | Minister |
|    |    | If no irreconcilable issues are identified and all requirements are met:  
   1) Stamp documents including the amendment # and ‘sign here’ sticky  
      a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) total  
      b. Two (2) map originals, each for the Future Land Use Map and Development Regulations  
   2) Fill out all necessary fields in the Minister’s Registry (TRIM).  
   3) Give physical file to Clerk; action Clerk in TRIM (recommended for registration). |   |
| #14 Clerk | 1) Draft registration letter  
   2) Give physical file to (Director?) Minister’s Assistant; action (Director?) Assistant in TRIM (recommended for registration; letter and documents to be signed). |   |
| #15 Minister’s Assistant | 1) Provide documents to Minister to sign  
   2) Give physical file to Clerk; action Clerk in TRIM (documents are registered) | Minister |
| #16 Clerk | 1) Send registration documents to Town  
   a. Signed letter  
   b. One (1) original of signed Municipal Plan (amendment) documents  
   2) File in one (1) original in our hardcopy registry  
   3) Fill out all necessary fields in the Minister’s Registry (TRIM) |   |
| #17 Town | Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)) |   |
Hi Folks,

See changes as per previous discussions and lean meeting. If you have time to review one in detail, please review the MPR (Proposed). I tried to highlight all the sections where changes are proposed from current.

Thanks,

A.
Municipal Plan Amendment – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #1, September 25, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive Council

Note: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

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</thead>
<tbody>
<tr>
<td>#1</td>
<td>Consultant</td>
<td>Submit Municipal Plan Amendment (MPA) documents to Clerk.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Submission requirements include:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1) *Should include cover letter, but will not hold up process</td>
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<td>2) One (1) paper copy of all Municipal Plan Review documents, including any maps</td>
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<td></td>
<td>3) Resolution to Adopt and Resolution to Approve templates</td>
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<tr>
<td></td>
<td></td>
<td>4) Evidence of s. 14 public consultation</td>
<td></td>
</tr>
<tr>
<td>#2</td>
<td>Clerk</td>
<td>Conduct intake tasks:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1) Record submission date</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2) Create container in TRIM and file submission</td>
<td></td>
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<td></td>
<td>3) Create entry in the Minister’s Register (Excel)</td>
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<td>4) Action to a Planner</td>
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<td>#3</td>
<td>Planner</td>
<td>Review submission for:</td>
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<td></td>
<td></td>
<td>1) Completeness in step #2</td>
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<td></td>
<td>2) Provincial interest, policy or law; use discretion in forwarding to appropriate department or agency for review (note: this may entail an ILUC referral)</td>
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<tr>
<td>#4</td>
<td>Planner</td>
<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule A, summary review template).</td>
<td>Planner</td>
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<td>If no irreconcilable issues are identified and all requirements are met:</td>
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<td></td>
<td>1) Draft s. 15 release letter to Consultant and Town (see Schedule B, section 15 release letter template). Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation.</td>
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<td>2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
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<td>#5</td>
<td>Consultant / Town</td>
<td>Submit MPA documents to Clerk.</td>
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<td>Submission requirements include:</td>
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<td>1) *Should include cover letter, but will not hold up process</td>
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<td>2) Two (2) originals of all MPA documents</td>
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<td>3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)</td>
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<td></td>
<td></td>
<td>a. Stamped/sealed by MCIP/FCIP, consultant Planner</td>
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<td></td>
<td>b. Stamped/sealed by Town</td>
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<td>c. Signed by Town</td>
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<td>4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)</td>
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<td></td>
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<td>a. Stamped/sealed by Town</td>
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<td>b. Signed by Town</td>
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<td>5) Two (2) originals for both Future Land Use and Zoning Maps</td>
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<td>a. Stamped/sealed by MCIP/FCIP, consultant Planner</td>
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<td>c. Signed by Town</td>
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<td>6) One (1) original affidavit</td>
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<td>7) One (1) original Commissioner’s report (if applicable)</td>
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<td>#6</td>
<td>Clerk</td>
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<td></td>
<td></td>
<td>Conduct intake tasks:</td>
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<tr>
<td></td>
<td></td>
<td>1) Record submission date</td>
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<td></td>
<td>2) File submission in TRIM</td>
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<td>3) Action to a Planner</td>
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<td></td>
<td>#7</td>
<td>Planner</td>
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<td></td>
<td>Review submission for:</td>
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<td></td>
<td>1) Completeness in step #5</td>
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<td>2) Consistency with submission from section ‘I. Section 15 – Review and Release’</td>
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<td>3) Commissioner’s recommendation, if applicable</td>
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<td></td>
<td>4) Additional provincial law or policy identified since ‘I. Section 15 – Review and Release’ (rare)</td>
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<td></td>
<td>#8</td>
<td>Planner</td>
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<td></td>
<td>If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed.</td>
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<td></td>
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<td>If the Town does not accept the Planner’s recommendation, a Decision Note is required for a formal refusal (rare).</td>
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<td>If no irreconcilable issues are identified and all requirements are met:</td>
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<td></td>
<td>1) Stamp documents including the registration # and ‘sign here’ sticky</td>
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<td></td>
<td></td>
<td>a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total</td>
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<td></td>
<td></td>
<td>b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total</td>
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<td>2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
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<td>3) Give physical file to Clerk; action Clerk in TRIM (recommended for registration)</td>
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<td></td>
<td>#9</td>
<td>Clerk</td>
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<td></td>
<td></td>
<td>Draft registration letter (see Schedule C, section 24 notice of registration letter template)</td>
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<td>2) Give physical file to Minister’s Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed).</td>
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<td>#10</td>
<td>Minister’s Assistant</td>
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<td></td>
<td></td>
<td>1) Provide documents to Minister for decision (signatures)</td>
<td></td>
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<td></td>
<td></td>
<td>2) Give physical file to Clerk; action Clerk in TRIM</td>
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<td></td>
<td>Director / ADM/ DM / Minister</td>
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</tr>
</tbody>
</table>

**IV. Notice of registration and publication.**

|   | #9 | Clerk   |
|   |   | 1) Draft registration letter (see Schedule C, section 24 notice of registration letter template)   |
|   |   | 2) Give physical file to Minister’s Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed).   |

**#10** Minister’s Assistant

|   |   | 1) Provide documents to Minister for decision (signatures)   |
|   |   | 2) Give physical file to Clerk; action Clerk in TRIM   |
|   |   | Minister   |
| #11 Clerk | 1) Send registration documents to Town  
  a. Signed letter  
  b. One (1) original of signed MPA documents, including Resolution to Approve and map documents  
  c. Email copies as well  
  2) File one (1) original in our hardcopy registry  
  3) Fill out all necessary fields in the Minister’s Registry (TRIM) |
<table>
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<tbody>
<tr>
<td>#12 Town</td>
<td>Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)).</td>
</tr>
</tbody>
</table>
Municipal Plan Review – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #1, September 25, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive Council

Notes: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

Municipal Plan refers to the Municipal Plan and associated Development Regulations.

Note: All section (s.) and subsection (ss.) references are from the Urban and Rural Planning Act, 2000. Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.

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<tbody>
<tr>
<td>#1</td>
<td>Consultant / Town</td>
<td>Submit request directly to a Planner and/or the Clerk that the Town is conducting a Municipal Plan Review (MPR); this triggers the ILUC referral for consultation under s. 14.</td>
<td></td>
</tr>
<tr>
<td>#2</td>
<td>Planner / Planning Technician</td>
<td>Refer Consultant to Planning Technician to retrieve base mapping data if required; a digital data agreement is required prior to releasing info (Schedule A, Digital Data Agreement template).</td>
<td></td>
</tr>
<tr>
<td>#3</td>
<td>Planner</td>
<td>Initiate referral to ILUC Coordinator, government agencies and departments, and other stakeholders as needed. Referral includes: (1) cover letter (Schedule B, ILUC letter template) and (2) PDF, ArcGIS and Google Earth mapping files.</td>
<td>ILUC Chair</td>
</tr>
<tr>
<td>#4</td>
<td>ILUC Coordinator</td>
<td>Submission is screened and sent to all members of ILUC.</td>
<td></td>
</tr>
<tr>
<td>#5</td>
<td>ILUC Coordinator</td>
<td>Responses are assembled and a summary report is prepared and submitted to the ILUC Chair for approval.</td>
<td></td>
</tr>
<tr>
<td>#6</td>
<td>Planner</td>
<td>Forward ILUC summary report to the Consultant and Town.</td>
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</tr>
</tbody>
</table>

II. Section 15: Review and Release – Reviewing for Provincial Interest, Policy and Law

<table>
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<th>Responsibility</th>
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</thead>
<tbody>
<tr>
<td>#7</td>
<td>Consultant</td>
<td>Submit MPR documents to Clerk. Submission requirements include: 1) One (1) paper copy of all Municipal Plan Review documents, including any maps 2) Resolution to Adopt and Resolution to Approve templates 3) Evidence of s. 14 public consultation</td>
<td></td>
</tr>
<tr>
<td>#8</td>
<td>Clerk</td>
<td>Conduct intake tasks: 1) Record submission date 2) Create container in TRIM and file submission 3) Create entry in the Minister’s Register (Excel) 4) Action to a Planner</td>
<td></td>
</tr>
<tr>
<td>#9</td>
<td>Planner</td>
<td>Review submission for: 1) *Should include cover letter, but will not hold up process 2) Accuracy of Resolution to Adopt and Resolution to Approve templates 3) Evidence of public consultation (s. 14) 4) Basic requirements of ss. 13(2) and ss. 35(1) are fulfilled 5) Provincial interest, policy or law are upheld; this generally entails cross referencing ILUC comments</td>
<td></td>
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</tbody>
</table>
| #10 Planner | If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule C, summary review template). If no irreconcilable issues are identified and all requirements are met:  
1) Draft s. 15 release letter to Consultant and Town (see Schedule D, section 15 release letter template). Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation.  
2) Fill out all necessary fields in the Minister’s Registry (TRIM). |

| #11 Consultant / Town | Submit MPR documents to Clerk.  
Submission requirements include:  
1) *Should include cover letter, but will not hold up process  
2) Two (2) originals of all Municipal Plan (amendment) documents  
3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)  
   a. Stamped/sealed by MCIP/FCIP, consultant Planner  
   b. Stamped/sealed by Town  
   c. Signed by Town  
4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)  
   a. Stamped/sealed by Town  
   b. Signed by Town  
5) Two (2) originals for both Future Land Use and Zoning Maps  
   a. Stamped/sealed by MCIP/FCIP, consultant Planner  
   b. Stamped/sealed by Town  
   c. Signed by Town  
6) One (1) original affidavit  
7) One (1) original Commissioner’s report (if applicable) |

| #12 Clerk | Conduct intake tasks:  
1) Record submission date  
2) File submission in TRIM  
3) Action to a Planner |

| #13 Planner | Review submission for:  
1) Completeness in step #11  
2) Consistency with submission from section ‘II. Section 15 – Review and Release’  
3) Commissioner’s recommendation, if applicable  
4) Additional provincial law or policy identified since ‘II. Section 15 – Review and Release’ (rare) |

| #14 Planner | If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a  
Director / ADM/ DM / Minister |
recommendation on how to proceed.
If the Town does not accept the Planner’s recommendation, a Decision Note is required for a formal refusal (rare).
If no irreconcilable issues are identified and all requirements are met:
1) Stamp documents including the registration # and ‘sign here’ sticky
   a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total
   b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total
2) Fill out all necessary fields in the Minister’s Registry (TRIM).
3) Give physical file to Clerk; action Clerk in TRIM (recommended for registration)

### IV. Notice of registration and publication

| #15 Clerk | 1) Draft registration letter (see Schedule E, section 24 notice of registration letter template)  
2) Give physical file to Minister’s Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed). |
| --- | --- |
| #16 Minister’s Assistant | 1) Provide documents to Minister for decision (signatures)  
2) Give physical file to Clerk; action Clerk in TRIM (documents are registered) |
| #17 Clerk | 1) Send registration documents to Town  
   a. Signed letter  
   b. One (1) original of signed Municipal Plan (amendment) documents, including Resolution to Approve and map documents  
   c. Email copies as well  
2) File one (1) original in our hardcopy registry  
3) Fill out all necessary fields in the Minister’s Registry (TRIM) |
| #18 Town | Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)). |
New Municipal Plan – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #1, September 25, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive Council

Notes: Please ensure all Schedules are the current version; where these may originate from various departments and agencies, the version included with this procedure as of the above-noted revision date may not be up-to-date.

‘Municipal Plan’ refers to the Municipal Plan and associated Development Regulations.

If the Town has yet to establish a Municipal Planning Area, please refer to the ‘Municipal Planning Area (MPA) Establishment Process – Department Procedure Guidelines.’

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**Note: All section (s.) and subsection (ss.) references are from the Urban and Rural Planning Act, 2000. Red shading indicates that the process stops at this step. Green shading indicates that the process may continue to the next step.**

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<td>2) One (1) paper copy of all Municipal Plan documents, including any maps</td>
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<td>3) Resolution to Adopt and Resolution to Approve templates</td>
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<td>4) Evidence of s. 14 public consultation</td>
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<td>2</td>
<td>Clerk</td>
<td>Conduct intake tasks:</td>
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<td>5) Provincial interest, policy or law are upheld; this generally entails cross referencing LLUC comments with the Municipal Plan, but additional referrals may be required</td>
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<td>6) Forward to Planning Technician to review maps for mapping compliance</td>
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<td>4</td>
<td>Planner</td>
<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule A, summary review template). If no irreconcilable issues are identified and all requirements are met:</td>
<td>Planner</td>
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<td>1) Draft s. 15 release letter to Consultant and Town. Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation.</td>
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| #5 Consultant / Town | Submit Municipal Plan documents to Clerk. Submission requirements include:
1) *Should include cover letter, but will not hold up process
2) Two (2) originals of all Municipal Plan documents
3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)
   a. Stamped/sealed by MCIP/FCIP, consultant Planner
   b. Stamped/sealed by Town
   c. Signed by Town
4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)
   a. Stamped/sealed by Town
   b. Signed by Town
5) Two (2) originals for both Future Land Use and Zoning Maps
   a. Stamped/sealed by MCIP/FCIP, consultant Planner
   b. Stamped/sealed by Town
   c. Signed by Town
6) One (1) original affidavit
7) One (1) original Commissioner’s report (if applicable) |
| #6 Clerk | Conduct intake tasks:
1) Record submission date
2) File submission in TRIM
3) Action to a Planner |
| #7 Planner | Review submission for:
1) Completeness in step #5
2) Consistency with submission from section 1.
   Section 15 – Review and Release
3) Commissioner’s recommendation, if applicable
4) Additional provincial law or policy identified since
   ‘1. Section 15 – Review and Release’ (rare) |
| #8 Planner | If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed.

If the Town does not accept the Planner’s recommendation, a Decision Note is required for a formal refusal (rare).

If no irreconcilable issues are identified and all requirements are met:
1) Stamp documents including the registration # and ‘sign here’ sticky
   a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total
   b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total
2) Fill out all necessary fields in the Minister’s Registry (TRIM).
3) Give physical file to Clerk; action Clerk in TRIM |

Director / ADM/ DM / Minister
<table>
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<th>#</th>
<th>Role</th>
<th>Tasks</th>
<th>Responsible Party</th>
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</table>
| #9 | Clerk           | 1) Draft registration letter  
2) Give physical file to Minister’s Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed). |                   |
| #10| Minister’s Assistant | 1) Provide documents to Minister for decision (signatures)  
2) Give physical file to Clerk; action Clerk in TRIM (documents are registered) | Minister          |
| #11| Clerk           | 1) Send registration documents to Town  
   a. Signed letter  
   b. One (1) original of signed Municipal Plan documents, including Resolution to Approve and map documents  
   c. Email copies as well  
2) File one (1) original in our hardcopy registry  
3) Fill out all necessary fields in the Minister’s Registry (TRIM) |                   |
| #12| Town            | Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)). |                   |
New Municipal Plan – Department Procedure Guidelines

Prepared by: Andrew Smith, MCIP

Revision and Date: #1, September 25, 2017

Prepared for: Department of Municipal Affairs and Environment, Executive Council

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<td>1) <em>Should include cover letter, but will not hold up process</em></td>
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<td></td>
<td></td>
<td>2) One (1) paper copy of all Municipal Plan documents, including any maps</td>
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<td></td>
<td>3) Resolution to Adopt and Resolution to Approve templates</td>
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<td></td>
<td></td>
<td>4) Evidence of s. 14 public consultation</td>
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<tr>
<td>#2</td>
<td>Clerk</td>
<td>Conduct intake tasks:</td>
<td></td>
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<td></td>
<td></td>
<td>1) Record submission date</td>
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<td>2) Create container in TRIM and file submission</td>
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<td></td>
<td>3) Create entry in the Minister’s Register (Excel)</td>
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<td>4) Action to a Planner</td>
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<tr>
<td>#3</td>
<td>Planner</td>
<td>Review submission for:</td>
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<td>1) <em>Should include cover letter, but will not hold up process</em></td>
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<td>2) Accuracy of Resolution to Adopt and Resolution to Approve templates</td>
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<td>3) Evidence of public consultation (s. 14)</td>
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<td></td>
<td>4) Basic requirements of ss. 13(2) and ss. 35(1) are fulfilled</td>
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<td>5) Provincial interest, policy or law are upheld; this generally entails cross referencing ILUC comments with the Municipal Plan, but additional referrals may be required</td>
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<td></td>
<td>6) Forward to Planning Technician to review maps for mapping compliance</td>
<td></td>
</tr>
<tr>
<td>#4</td>
<td>Planner</td>
<td>If irreconcilable issues are identified (e.g. basic requirements are not fulfilled or provincial interest is not upheld), draft a summary of review and send to Consultant and Town via email indicating s. 15 release cannot be given and changes are required to proceed (see Schedule A, summary review template).</td>
<td></td>
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<td>If no irreconcilable issues are identified and all requirements are met:</td>
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<tr>
<td></td>
<td></td>
<td>1) Draft s. 15 release letter to Consultant and Town. Letter attachment is sent via email to Consultant and Town requesting a reply receipt confirmation.</td>
<td>Planner</td>
</tr>
<tr>
<td>#</td>
<td>Consultant / Town</td>
<td>Submit Municipal Plan documents to Clerk.</td>
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<td>Submission requirements include:</td>
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<td>1) &quot;Should include cover letter, but will not hold up process</td>
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<td></td>
<td>2) Two (2) originals of all Municipal Plan documents</td>
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<td>3) Two (2) originals of Resolution to Adopt (two (2) each for Municipal Plan and Development Regulations)</td>
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<td></td>
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<td>a. Stamped/sealed by MCIP/FCIP, consultant Planner</td>
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<td>b. Stamped/sealed by Town</td>
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<td>c. Signed by Town</td>
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<td>4) Two (2) originals of Resolution to Approve (two (2) each for Municipal Plan and Development Regulations)</td>
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<td>a. Stamped/sealed by Town</td>
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<td>b. Signed by Town</td>
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<td>5) Two (2) originals for both Future Land Use and Zoning Maps</td>
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<td>a. Stamped/sealed by MCIP/FCIP, consultant Planner</td>
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<td>b. Stamped/sealed by Town</td>
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<td>c. Signed by Town</td>
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<td>6) One (1) original affidavit</td>
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<td>7) One (1) original Commissioner’s report (if applicable)</td>
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<tr>
<th>#6</th>
<th>Clerk</th>
<th>Conduct intake tasks:</th>
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<tr>
<td></td>
<td></td>
<td>1) Record submission date</td>
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<td></td>
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<td>2) File submission in TRIM</td>
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<td>3) Action to a Planner</td>
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</table>

<table>
<thead>
<tr>
<th>#7</th>
<th>Planner</th>
<th>Review submission for:</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>1) Completeness in step #5</td>
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<tr>
<td></td>
<td></td>
<td>2) Consistency with submission from section ‘I. Section 15 – Review and Release’</td>
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<td>3) Commissioner’s recommendation, if applicable</td>
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<td></td>
<td></td>
<td>4) Additional provincial law or policy identified since ‘I. Section 15 – Review and Release’ (rare)</td>
</tr>
</tbody>
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<tr>
<th>#8</th>
<th>Planner</th>
<th>If irreconcilable issues are identified, draft an email to Consultant / Town indicating that the submission is not recommended for registration; this includes a recommendation on how to proceed.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>If the Town does not accept the Planner’s recommendation, a Decision Note is required for a formal refusal (rare).</td>
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<td>If no irreconcilable issues are identified and all requirements are met:</td>
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<td>1) Stamp documents including the registration # and ‘sign here’ sticky</td>
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<td>a. Two (2) Resolution to Approve originals, each for the Municipal Plan and Development Regulations—four (4) in total</td>
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<td>b. Two (2) map originals, each for the Future Land Use Map and Development Regulations—four (4) in total</td>
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<td>2) Fill out all necessary fields in the Minister’s Registry (TRIM).</td>
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<td>3) Give physical file to Clerk; action Clerk in TRIM</td>
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</tbody>
</table>

**Director / ADM/ DM / Minister**
| #9  | Clerk       | 1) Draft registration letter  
2) Give physical file to Minister's Assistant; action Assistant in TRIM (recommended for registration; letter and documents to be signed). | Minister |
| #10 | Minister's Assistant | 1) Provide documents to Minister for decision (signatures)  
2) Give physical file to Clerk; action Clerk in TRIM (documents are registered) |  |
| #11 | Clerk       | 1) Send registration documents to Town  
   a. Signed letter  
   b. One (1) original of signed Municipal Plan documents, including Resolution to Approve and map documents  
   c. Email copies as well  
2) File one (1) original in our hardcopy registry  
3) Fill out all necessary fields in the Minister’s Registry (TRIM) |  |
| #12 | Town        | Publish in NL Gazette and locally circulated newspaper within 10 days of being notified of the registration (ss. 24(2)). |  |
Hi Barry,

The attached document should give some direction on mapping submission requirements (as discussed, these are “current” requirements, not necessarily reflective of what could/should be requested).

Thanks for assisting with this!

Best,
Kim

Kimberley J. Blanchard, BA, MEDes (planning), MCIP
Senior Planner, Local Governance & Planning Division
Department of Municipal Affairs & Environment

Tel: 709.729.0422 | Fax: 709.729.3221
Email: KimberleyBlanchard@gov.nl.ca
Address: P.O. Box 8700, St. John's, NL A1B 4J6

From: Ivany, Barry
Sent: Monday, October 02, 2017 12:21 PM
To: Blanchard, Kimberley
Subject:

Kim, do you have some info on the MIMS system for me whereby I can create a GIS question for the interviews?

Barry Ivany
Land Management Specialist (GIS)
Government of Newfoundland and Labrador
Dept. of Fisheries and Land Resources

Lands Branch
bivany@gov.nl.ca
(709) 729-0372
Public Notice

Town of ____________________ MUNICIPAL PLAN

The ____________________ is calling for proposals from qualified planning consultants for the preparation of a Municipal Plan for the Town of ____________________. Any firm wishing to be considered for this project may obtain a copy of the proposal call from:

The proposals are due on ____________________
SCHEDULE B

REQUEST FOR PROPOSALS
MUNICIPAL PLAN
For

______________________
c/o:______________________
REQUEST FOR PROPOSAL

Background Information and Terms of Reference

____________________ Municipal Plan

PURPOSE

The Municipal Council of the Town of __________________ request proposals to prepare a Municipal Plan for __________________, in the form of reports and maps in conformity with Part III of the Urban and Rural Planning Act, 2000 capable of being adopted by Council, considered by the general public and subsequently approved by Council, together with the preparation of zoning schedules and maps in conformity with the Plans.

BACKGROUND

Municipal Plans in the Province of Newfoundland and Labrador are prepared under the Urban and Rural Planning Act, 2000 (the “Act”). The Act requires a Council with a Municipal Plan to have associated Development Regulations in place to implement that Plan. The Act requires a review of both documents every five (5) years.

BASIC REQUIREMENTS

Section 13 of the Act establishes the required contents of a Municipal Plan. The Consultant is expected to follow the requirements and to carry out an examination of all factors that relate to the future development of the Towns and to take into account its existing Municipal Plan and Development Regulations. This work will include the carrying out of surveys and investigations necessary to enable a ten-year projection of the Town’s requirements to be determined and incorporated into Municipal Plans for that time span, and must involve a public consultation programme as stipulated by section 14 of the Act.

The Municipal Plan must contain proposals for the general development of the Municipal Planning Area over a ten-year period and should be designed to co-ordinate the public purposes of the Council that bear upon development to achieve the common well-being of the community and conserve the financial and material resources of the Planning Area. This proposal will be presented in written and map form and must contain those items outlined in section 13 of the Act and be set out in an acceptable format for a Municipal Plan Report.

-1-
The accompanying regulations must follow the requirements of section 35 of the Act and be consistent with the Plan and incorporate Ministerial regulations made pursuant to section 36.

All final reports and plans submitted shall be certified by and bear the seal of the Member or Fellow of the Canadian Institute of Planners responsible for their contents.

DIGITAL MAPPING REQUIREMENTS

- The Department of Municipal Affairs has developed a Municipal Information Management System (MIMS) which will serve as a data warehouse for engineering infrastructure information, municipal planning and zoning data, soils data and street names. In order to implement this system, the Department has established standard data structures for all spatial data. This will allow for the free exchange of data amongst all users whether municipalities, engineering and planning consultants, or government departments.

- All maps for new Municipal Plan and Development Regulations or for 5-year Plan Reviews must be digitally produced.

- All digital maps are to be produced using map bases provided by the Department. These will be provided at no charge to towns and planning consultants with submission of a signed agreement that they will not be redistributed without consent. The map base is built upon the most current map sets available from Surveys and Mapping Division, Department of Government Services, but may be augmented with additional digital mapping to ensure full coverage of the municipal planning area. The map base will meet provincial standards.

- The Department will also provide a layer showing major water bodies in urban areas.

- The digital maps must be able to be plotted by the Department so that it can create and reproduce consolidated future land use and zoning maps for the planning library and sharing with other government departments and agencies.

- Certain layers will be extracted for inclusion in the Department’s Municipal Information Management System. Redistribution of this data will be limited to provincial and municipal purposes.
Required Form

- maps must be geo-referenced in accordance with NFLD NAD 83 MTM 3 degree projection.
- all future land use and zoning polygons must be closed
- specifications are set for plan and regulations polygon and text data so that these layers will be compatible with the Department's Municipal Information Management System (MIMS) as follows:
  - Planning information shall be prepared in the following layers:
    MSPLEG Municipal Plan (Future Land Use Map) Legend
    MSZLEG Development Regulations (Zoning Map) Legend
    MSP Future Land Use Polygon Data
    MSPT Future Land Use Text
    MSZ Zoning Polygon Data
    MSZT Zoning Text
  - Other planning information map features related to plan policies or zone conditions may be assigned other layer names, with a separate layer for each unique element or policy item. Examples of such features are collector road, future road, aggregate resource area, or flood zone.
  - Any changes to the base maps such as the addition of new buildings or roads should appear on a separate layer identified as MSUPMAP.
  - For administrative purposes, the MS prefix in AutoCAD layer will be reserved for Departmental purposes.
- Base map data must not be altered.

CONSULTATION

The Consultant will be expected to work directly with Council and liaise with the Council and their staff as well as attend necessary meetings. The Consultant will be required to undertake a programme of public consultation and attend the statutory Public Hearing to present the rationale, objectives and policies of the Municipal Plan.

It will be necessary for the Consultant to become familiar with the activities of other Government Departments as they relate to policies and proposals applicable to the Municipal Planning Area.
TIMING

The Municipal Plan Review project will be considered completed when:
(a) the Municipal Plan and Development Regulations have been registered under section 24 of the Urban and Rural Planning Act, 2000;
(b) copies of the Municipal Plan and full Development Regulations, as registered, have been forwarded to each Council; and,
(c) a digital copy of the Municipal Plan and Development Regulations and all associated maps and diagrams has been delivered to the Council and the Land Use Planning Division.

Work will be scheduled to allow for completion as soon as possible in ________.

PAYMENT

Payment will be on a per diem basis with an agreed cost which is not to be exceeded. Payments will be made at not less than monthly intervals and at the completion of the work. Invoices will be submitted in duplicate to the Council of _________ for that portion of the work undertaken during the time of the last billing and must be accompanied by a progress report outlining the work completed to date and since the last billing, and the stage reached in the overall project. Progress reports will, in any event, be submitted _________.

Particular attention is directed to the provisions of the draft agreement regarding excess costs. Work must not be carried out which results in additional costs. The Consultant must ensure that the cost in the proposal is realistic and that the work can be completed in accordance with the agreement.
**EVALUATION CRITERIA**

The consultant will be selected on the basis of qualifications and experience of the firm and individuals assigned to the project; demonstrated understanding of the project; proposed methodology and ability to complete the work in a timely manner; and per diem and total costs. All submissions will be held in strict confidence. The client does not bind itself to accept the lowest or any proposal. Points will be allocated as follows:

<table>
<thead>
<tr>
<th>EVALUATION CRITERIA</th>
<th>POINTS</th>
</tr>
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<tbody>
<tr>
<td>Qualifications (individuals assigned)</td>
<td>20</td>
</tr>
<tr>
<td>Relevant Experience (individuals assigned)</td>
<td>20</td>
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<tr>
<td>Demonstrated Understanding of Project</td>
<td>20</td>
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<tr>
<td>Methodology/Schedule</td>
<td>15</td>
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<tr>
<td>Subtotal (Technical)</td>
<td>75</td>
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<tr>
<td>Per Diem and Total Costs</td>
<td>25</td>
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<td><strong>TOTAL</strong></td>
<td><strong>100</strong></td>
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PROPOSALS

_____ copies of each proposal should be submitted to: ________________________________

by the ______________________, and should contain:

(a) A schedule of work to be undertaken;

(b) A breakdown of the time to be spent on each task phase by each of the personnel who will be
    working on the Municipal Plan Review;

(c) An estimated completion date;

(d) Costs for the Municipal Plan Review based on daily rates with a maximum not to be exceeded price for:

   (1) professional services, showing an amount for Public Hearing attendance, and

   (2) expenses and HST, showing an amount for copies of final reports and copies for
    the Public Hearing;

(e) Names of personnel and their qualifications and specific involvement in the work.

Failure to provide this information may eliminate a proposal from consideration.

It is not proposed to hold a briefing session unless sufficient consultants request it but further
information and clarification can be obtained at the Council Office. It is incumbent upon the
consultant to become acquainted with any local problems and concerns relative to the Municipal
Plan Review prior to submitting a proposal and addressing these matters in the submission.

In preparing the proposal, Consultants must familiarize themselves with the general scope of
mapping and other data available from the Land Use Planning Division and elsewhere. Payment
will not be made for provision of mapping or other basic information unless this is specifically
provided for in the proposal which will form a part of the agreement.

Council does not bind themselves to accept the lowest, or any, proposal.
Hi Christopher: I think that:

Under the heading Initial Request, there should be a line indicating that Registry spreadsheet updated;

the topic "public consultation" should be moved to just below the heading Release;

Under heading Approval, replace updated with signed.

Elaine

-----Original Message-----
From: Hardy, Christopher <ChristopherHardy@gov.nl.ca>
Sent: Tuesday, April 16, 2019 10:35 AM
To: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>; Mitchell, Elaine <ElaineMitchell@gov.nl.ca>; Akerele, Toluope Victoria <ToluopeAkerele@gov.nl.ca>
Subject: Land Use Planning Processes

I tweaked the process chart slightly. Here's the newest version. Please let me know if you find any errors in the processes so I can make the chart as correct as possible.
From: Mitchell, Elaine
Sent: Tuesday, May 7, 2019 8:18 AM
To: Hardy, Christopher; Akerele, Tolulope Victoria; Blanchard, Kimberley; Pelley, Jonathan
Subject: RE: Planning Process Chart

Thank you.

Elaine

From: Hardy, Christopher <ChristopherHardy@gov.nl.ca>
Sent: Monday, May 6, 2019 4:05 PM
To: Akerele, Tolulope Victoria <TolulopeAkerele@gov.nl.ca>; Mitchell, Elaine <ElaineMitchell@gov.nl.ca>; Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>; Pelley, Jonathan <JonathanPelley@gov.nl.ca>
Subject: Planning Process Chart

Hello,

I have updated the planning process chart... please find the newest version here: [Link]

Christopher Hardy MPlan MCIP
Planner III, Local Governance and Planning
Department of Municipal Affairs and Environment
P.O. Box 8700, St. John's, NL, A1B 4J6
Tel 709.729.4265, Fax 709.729.3923
When I completed the section 15 review for Gillams, I created this table of URPA requirements. I filled in policy sections and regulations. I found it a useful tool in the Plan/Regulations review process.

I'm sharing it with you and you may wish to use it. It may help to standardize our review process somewhat.

Elaine

Elaine Mitchell MCIP
Planner III, Local Governance and Land Use Planning
Department of Municipal Affairs and Environment
P.O. Box 8700, St. John's, NL, A1B 4J6
Tel 709.729.4318
<table>
<thead>
<tr>
<th>Urban and Rural Planning Act</th>
<th>Municipal Plan and Development Regulations</th>
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</thead>
<tbody>
<tr>
<td><strong>Section 13 (2)</strong></td>
<td>Mandatory Requirements – Municipal Plan</td>
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<tr>
<td>(a) Statement of objectives</td>
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<td>(b) Indication of policies to be implemented under the plan</td>
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<td>(c) Divide land into land use classes and the use that may be made in each class and shall include prohibited uses of land</td>
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<tr>
<td>(d) Include proposals for land use zoning regulations</td>
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<tr>
<td>(e) Include proposals for the implementation</td>
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<tr>
<td>(f) Provisions for non-conforming uses</td>
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<tr>
<td>(g) Provide for the development of the planning area for a 10 year period</td>
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<tr>
<td><strong>Section 13 (3)</strong></td>
<td>Discretionary provisions – Municipal Plan</td>
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<tr>
<td>(a) Describe the physical, economic and social environment</td>
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<td>(b) Describe the existing and proposed transportation network</td>
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<td>(c) Establish areas for comprehensive development</td>
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<tr>
<td>(d) Propose the phasing in of development</td>
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<td>(e) Establish a program of public works</td>
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<td>(f) Provide for the protection, use and development of environmentally sensitive lands</td>
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<tr>
<td>(g) Provide for storm water control and erosion control</td>
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<tr>
<td>(h) Provide for the protection, use and development of natural resources and for the prevention of natural resource development with incompatible negative impacts</td>
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<tr>
<td>(i) Provide for the excavation, filling in or reclamation of land</td>
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<tr>
<td>(j) Provide for the non-removal of trees and vegetation and other environmental matters including requiring environmental studies be carried out prior to undertaking specified developments</td>
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<td>(k) Provide for the height and siting of developments</td>
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<td>(l) Provide for the use and conservation of energy</td>
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<tr>
<td>(m) Provide for and recommend the attraction, location, development and diversification of economic activity</td>
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<tr>
<td>(n) Provide for garden suites and back lot development</td>
<td></td>
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<tr>
<td>(o) Establish locations, provisions for and policies with respect to housing and facilities for senior citizens</td>
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<tr>
<td>(p) Make other proposals, that in the opinion of council are necessary</td>
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<tr>
<td>Section</td>
<td>Mandatory Requirements - Regulations</td>
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<tr>
<td>35</td>
<td>Land is controlled and used in accordance with Plan</td>
</tr>
<tr>
<td>(a)</td>
<td>Land use zoning and maps</td>
</tr>
<tr>
<td>(b)</td>
<td>Permitted, discretionary and prohibited uses</td>
</tr>
<tr>
<td>(c)</td>
<td>Residential lots and access to residential lots</td>
</tr>
<tr>
<td>(d)</td>
<td>Development and requirements for subdivisions</td>
</tr>
<tr>
<td>(e)</td>
<td>Respecting development permits</td>
</tr>
<tr>
<td>(i)</td>
<td>Different types of permits</td>
</tr>
<tr>
<td>(ii)</td>
<td>Application for and issuance of permits</td>
</tr>
<tr>
<td>(iii)</td>
<td>Required fees, forms and information with respect to permits</td>
</tr>
<tr>
<td>(iv)</td>
<td>Approval in principle for permits</td>
</tr>
<tr>
<td>(v)</td>
<td>Processing, cancellation, suspension and refusal of permits</td>
</tr>
<tr>
<td>(vi)</td>
<td>Conditions applicable to a permit</td>
</tr>
<tr>
<td>(vii)</td>
<td>Length of time that permits are valid</td>
</tr>
<tr>
<td>(viii)</td>
<td>Discretion and variance powers</td>
</tr>
<tr>
<td>(f)</td>
<td>Requiring applicant to be provided with available information and requirements</td>
</tr>
<tr>
<td>(g)</td>
<td>Requiring decision to be in writing and to state reasons for a refusal</td>
</tr>
<tr>
<td>(h)</td>
<td>Minimum time periods for decisions respecting discretionary and non-conforming land uses and variances</td>
</tr>
<tr>
<td>(i)</td>
<td>Respecting public notice and requiring that costs be borne by applicant</td>
</tr>
<tr>
<td>(j)</td>
<td>Non-conforming development</td>
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<tr>
<td>(k)</td>
<td>Financial Guarantees</td>
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<tr>
<td>(l)</td>
<td>Appeals</td>
</tr>
<tr>
<td>(m)</td>
<td>Enforcement</td>
</tr>
<tr>
<td>Section 36</td>
<td>Ministers Development Regulations included</td>
</tr>
</tbody>
</table>
Based on our discussion this morning, I revised the Act check list to include provincial interests identified through ILUC. Please feel free to add any additional interests. Please remember that there may be interests identified in the ILUC summary which may not be on this checklist – add for the specific plan review.

I think I will also create a comment template based on Christopher's so we have a standard form to use. Once completed, I'll save and let you know.

Elaine

Elaine Mitchell MCIP
Planner III, Local Governance and Land Use Planning
Department of Municipal Affairs and Environment
P.O. Box 8700, St. John's, NL, A1B 4J6
Tel 709.729.4318
<table>
<thead>
<tr>
<th>Urban and Rural Planning Act</th>
<th>Municipal Plan and Development Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section 13 (2)</strong></td>
<td><strong>Mandatory Requirements – Municipal Plan</strong></td>
</tr>
<tr>
<td>(a)</td>
<td>Statement of objectives</td>
</tr>
<tr>
<td>(b)</td>
<td>Indication of policies to be implemented under the plan</td>
</tr>
<tr>
<td>(c)</td>
<td>Divide land into land use classes and the use that may be made in each class and shall include prohibited uses of land</td>
</tr>
<tr>
<td>(d)</td>
<td>Include proposals for land use zoning regulations</td>
</tr>
<tr>
<td>(e)</td>
<td>Include proposals for the implementation</td>
</tr>
<tr>
<td>(f)</td>
<td>Provisions for non-conforming uses</td>
</tr>
<tr>
<td>(g)</td>
<td>Provide for the development of the planning area for a 10 year period</td>
</tr>
<tr>
<td><strong>Section 13 (3)</strong></td>
<td><strong>Discretionary provisions – Municipal Plan</strong></td>
</tr>
<tr>
<td>(a)</td>
<td>Describe the physical, economic and social environment</td>
</tr>
<tr>
<td>(b)</td>
<td>Describe the existing and proposed transportation network</td>
</tr>
<tr>
<td>(c)</td>
<td>Establish areas for comprehensive development</td>
</tr>
<tr>
<td>(d)</td>
<td>Propose the phasing in of development</td>
</tr>
<tr>
<td>(e)</td>
<td>Establish a program of public works</td>
</tr>
<tr>
<td>(f)</td>
<td>Provide for the protection, use and development of environmentally sensitive lands</td>
</tr>
<tr>
<td>(g)</td>
<td>Provide for storm water control and erosion control</td>
</tr>
<tr>
<td>(h)</td>
<td>Provide for the protection, use and development of natural resources and for the prevention of natural resource development with incompatible negative impacts</td>
</tr>
<tr>
<td>(i)</td>
<td>Provide for the excavation, filling in or reclamation of land</td>
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<tr>
<td>(j)</td>
<td>Provide for the non-removal of trees and vegetation and other environmental matters including requiring environmental studies be carried out prior to undertaking specified developments</td>
</tr>
<tr>
<td>(k)</td>
<td>Provide for the height and siting of developments</td>
</tr>
<tr>
<td>(l)</td>
<td>Provide for the use and conservation of energy</td>
</tr>
<tr>
<td>(m)</td>
<td>Provide for and recommend the attraction, location, development and diversification of economic activity</td>
</tr>
<tr>
<td>(n)</td>
<td>Provide for garden suites and back lot development</td>
</tr>
<tr>
<td>(o)</td>
<td>Establish locations, provisions for and policies with respect to housing and facilities for senior citizens</td>
</tr>
<tr>
<td>(p)</td>
<td>Make other proposals, that in the opinion of council are necessary</td>
</tr>
<tr>
<td>Section 35</td>
<td>Mandatory Requirements - Regulations</td>
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</tr>
<tr>
<td>(1) Land is controlled and used in accordance with Plan</td>
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<tr>
<td>(a) Land use zoning and maps</td>
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</tr>
<tr>
<td>(b) Permitted, discretionary and prohibited uses</td>
<td></td>
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<tr>
<td>(c) Residential lots and access to residential lots</td>
<td></td>
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<tr>
<td>(d) Development and requirements for subdivisions</td>
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<tr>
<td>(e) Respecting development permits</td>
<td></td>
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<tr>
<td>(i) Different types of permits</td>
<td></td>
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<tr>
<td>(ii) Application for and issuance of permits</td>
<td></td>
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<tr>
<td>(iii) Required fees, forms and information with respect to permits</td>
<td></td>
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<tr>
<td>(iv) Approval in principle for permits</td>
<td></td>
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<tr>
<td>(v) Processing, cancellation, suspension and refusal of permits</td>
<td></td>
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<tr>
<td>(vi) Conditions applicable to a permit</td>
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<tr>
<td>(vii) Length of time that permits are valid</td>
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<tr>
<td>(viii) Discretion and variance powers</td>
<td></td>
</tr>
<tr>
<td>(f) Requiring applicant to be provided with available information and requirements</td>
<td></td>
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<tr>
<td>(g) Requiring decision to be in writing and to state reasons for a refusal</td>
<td></td>
</tr>
<tr>
<td>(h) Minimum time periods for decisions respecting discretionary and non-conforming land uses and variances</td>
<td></td>
</tr>
<tr>
<td>(i) Respecting public notice and requiring that costs be borne by applicant</td>
<td></td>
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<tr>
<td>(j) Non-conforming development</td>
<td></td>
</tr>
<tr>
<td>(k) Financial Guarantees</td>
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<tr>
<td>(l) Appeals</td>
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<tr>
<td>(m) Enforcement</td>
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Section 36 Ministers Development Regulations included

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### ILUC Provincial Interests

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<tr>
<th>Department/Division</th>
<th>Interest</th>
<th>Plan/Regulations reference</th>
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<tbody>
<tr>
<td>Service NL</td>
<td>Protected Road</td>
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<td>Permitting</td>
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<td>Highway Signs</td>
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<td>Provincial Archaeology Office</td>
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<td>Archaeological potential</td>
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<td>Wildlife</td>
<td>Eastern Joint Habitat</td>
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<td></td>
<td>Habitat protection</td>
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<td>Salmon River</td>
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<td>Crown Lands</td>
<td>Cottage Development Areas</td>
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<td>Special Management Areas</td>
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<td>Agricultural Development Area</td>
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<td></td>
<td>Domestic cutting areas</td>
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<td></td>
<td>Commercial cutting areas</td>
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<td>Other forestry interests</td>
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<td>Water Resource Management</td>
<td>Effluent and runoff standards</td>
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<td>Work near or in a body of water</td>
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<td></td>
<td>Wharves/Boat houses/slipway</td>
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<td>Flood risk areas and provincial flood risk maps</td>
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<td>Non-domestic water use</td>
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<td>Private drinking water or wastewater systems</td>
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<td>Protected Public Water Supply Area</td>
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<td>Wellhead Public Water Supply Area</td>
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<td>Non-domestic well</td>
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<td></td>
<td>Groundwater assessment for unserviced subdivision development</td>
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<td></td>
<td>Protection of wetland</td>
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</tbody>
</table>

| Office of Climate Change                        | Climate change               |

| Mines                                            | Mineral exploration          |
|                                                | Mineral workings             |
|                                                | Areas of aggregate potential |
|                                                | Existing quarries (non-conforming) |
|                                                | Separation distances         |
|                                                | Zoning                       |
|                                                | Use classes                  |

| Geological Survey                                | Flooding                     |
|                                                | Landslides and rockfalls     |
|                                                | Coastal erosion              |
|                                                | Climate change impacts       |

| Local Governance and Land Use Planning           | Protected Roads              |
|                                                | Highway Sign Regulations     |

| Federal Parks                                   |
|                                                |
| Provincial Parks                                |
|                                                |
| Natural Areas                                   |
I have created a comment template so your responses are in a standardized format. Please use it for current plan review and then we can discuss any changes going forward. Thanks Christopher for providing the concept and categories.

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Department of Municipal Affairs and Environment
P.O. Box 8700, St. John's, NL, A1B 4J6
Tel 709.729.4318
<table>
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<td>Initial Public Consultation</td>
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<td>General Comments</td>
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<td>Non-Compliance with Act</td>
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<td>ILUC</td>
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<td>Development Regulations</td>
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<td>General Comments</td>
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<tr>
<td>ILUC</td>
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<tr>
<td>Inconsistencies between Plan and Regulations</td>
<td></td>
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<tr>
<td>Mapping</td>
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<tr>
<td><strong>Recommendations based on best practice</strong></td>
<td></td>
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<tr>
<td>These comments are based on best practice and are offered as a suggestion for your consideration.</td>
<td></td>
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</tr>
</tbody>
</table>
Let's bring this up at tomorrow's divisional meeting so we are all on the same page.

Christopher Hardy MPlan MCIP
Planner III, Land Use Planning,
Municipal Affairs and Environment
(T) 709.729.4265

Thanks for updating, Christopher. The chart presents a clearer picture of the process. Hopefully we can pass the first set along based on this process. Also, the BN for St Joseph's and Bryant's Cove may serve as templates for subsequent BN for Planning Area establishment.

Victoria

From: Hardy, Christopher <ChristopherHardy@gov.nl.ca>
Sent: Thursday, June 6, 2019 11:31 AM
To: Mitchell, Elaine <ElaineMitchell@gov.nl.ca>; Akerele, Tolulope Victoria <TolulopeAkerele@gov.nl.ca>
Cc: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>
Subject: Updated Process Chart

Hello,

I have updated the process chart as per our conversation yesterday: [Redacted]

Let me know if the updated process around BN doesn't make sense and I'll tweak it.
Looks ok to me. Thanks for the revisions.

Elaine

From: Hardy, Christopher <ChristopherHardy@gov.nl.ca>
Sent: Thursday, June 6, 2019 11:31 AM
To: Mitchell, Elaine <ElaineMitchell@gov.nl.ca>; Akerele, Toluope Victoria <ToluopeAkerele@gov.nl.ca>
Cc: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>
Subject: Updated Process Chart

Hello,

I have updated the process chart as per our conversation yesterday: s.35(1)(b)

Let me know if the updated process around BN doesn’t make sense and I’ll tweak it.

Christopher Hardy  MPlan MCIP
Planner III, Local Governance and Planning
Department of Municipal Affairs and Environment
P.O. Box 8700, St. John’s, NL, A1B 4J6
Tel 709.729.4265, Fax 709.729.3923
Not quite right – see edits below

Mary Oley, B.Sc. LLB.
Director of Local Governance and Land Use Planning
Municipal Affairs and Environment
Email: maryoley@gov.nl.ca
Telephone: 709-729-1953
Mobile: 709-725-4854

From: Hardy, Christopher <ChristopherHardy@gov.nl.ca>
Sent: Thursday, June 6, 2019 3:10 PM
To: Oley, Mary <MaryOley@gov.nl.ca>
Cc: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>; Mitchell, Elaine <ElaineMitchell@gov.nl.ca>; Akerele, Tolulope Victoria <TolulopeAkerele@gov.nl.ca>; Hanlon, Carol <CarolHanlon@gov.nl.ca>
Subject: RE: Briefing Notes for Planning Areas

As a follow-up to my previous e-mail, Carol and I have been looking into this BN issue today and have looked at several communities as well as the “official process” on TRIM (15-021-012) and there’s only one BN in all those instances... FYI.

Christopher Hardy MPlan MCIP
Planner III, Land Use Planning,
Municipal Affairs and Environment
(T) 709.729.4265

From: Hardy, Christopher
Sent: Thursday, June 6, 2019 2:48 PM
To: Oley, Mary <MaryOley@gov.nl.ca>
Cc: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>; Mitchell, Elaine <ElaineMitchell@gov.nl.ca>; Akerele, Tolulope Victoria <TolulopeAkerele@gov.nl.ca>; Hanlon, Carol <CarolHanlon@gov.nl.ca>
Subject: Briefing Notes for Planning Areas

Hi Mary,

There is some confusion between the planners as to the proper procedure to following regarding briefing notes when a municipal planning area is being created/amended. I believe the confusion arose from the process being changed during the Lean Process a few years ago and there being a new and an old way.

I believe the current process is:

1. Planner creates a Decision Note briefing note (BN #1 of 2) to recommend the Minister is (s)he wants to proceed with the amendments to the legislation (i.e., the orders re the Interim Development Regulations and the planning area). BN “package” includes:
   - Map
- Legal description

Information needed by Leg Csl to draft the orders – no this just goes to Leg Counsel

2. Minister approves (or doesn’t)
3. If approved, Leg Csl drafts the orders
4. Planner creates another briefing note (BN #2 of 2) to ask the Minister to approve the orders. This BN “package” includes: Planner creates an Info Note BN with the Order
   - Map
   - Legal description
   - Orders
5. Minister approves (or doesn’t) Minister signs the Order
   Signed Order provided to Leg Counsel
6. Leg Counsel arranges for publication in The Gazette

Does that sound correct?

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Tel 709.729.4265, Fax 709.729.3923
Hello all! The mystery surrounding the proper process for briefing notes has been sorted out. I have captured the process in the planning processes chart (see link above - June 10 version).

There are two briefing notes expected for any changes to a municipal planning area; a decision note to kick it all off and an information note when the orders are ready.

If you have any questions, ask Mary but let the rest of us know too so we all learn the details.
My thoughts on the topic...

Andrew is not wrong. It’s frustrating for us when planners working in other jurisdictions submit things to us in unfamiliar formats (e.g., Jens and Andrew), but as long as it meets the requirements of the Act, then I feel we must accept it because we do not have a “required form” at this time.

However, I don’t think there’s any problem with us requesting (not “requiring”) things be organized in a certain way to make life smoother. It would be in the best interest of the submitting consultant to organize things we like 😊.

I agree with both Andrew and Jens that it’s not appropriate for us to insert our own personal way of doing things into documents prepared by another planner. However, I have made comments to both John and Jens that were my opinion; I worded my comments in a way that made it clear that my opinions are not requirements of the Act. They have disagreed but often seem to appreciate the feedback.

That being said, and following what we talked about yesterday and what Andrew said, I think having a “required form” (one that includes the mapping information Jonathan has been working on) would be very handy for consistency’s sake and ease of processing by ourselves. The required form could be added to our Division’s website (that way it could be easily updated) and we could inform our “regular” consultants.

Christopher Hardy
MPlan MCIP
Planner III, Land Use Planning,
Municipal Affairs and Environment
(T) 709.729.4265

Hi Elaine,

While I appreciate your thorough review, I fail to see where this submission is non-compliant with provincial statements of interest, law or policy. It appears to me that the section 15, review/release stage is being used to insert professional discretion in refusing release, where professional opinions may vary. This is particularly
concerning where you’re requiring detailed policy analysis in the amendment body and subsequently refusing section 15 release based on interpretation that may be subjective and debatable.

In other jurisdictions, the analytical portion is contained in the report to Council and not registered as the legal document. I highly recommend that LGP conduct a thorough provincial jurisdictional scan prior to developing any future required form for registering amendments and maps. Where there is currently no established required form, this can yield wide discrepancies in review feedback between provincial planners and planning technicians.

I’ve cc’ed Mary on this as she is aware that this is a concern of mine. I am all for establishing and following required form, as this will hopefully yield consistency in review and feedback. I am willing to review any draft required form LGP may produce if forwarded to consultants for feedback; and/or write a letter of support if this will help your cause in moving forward with this initiative.

Please see attached and responses below.

Regards,

Andrew

---

On Tue, Jun 4, 2019 at 9:41 AM Mitchell, Elaine <ElaineMitchell@gov.nl.ca> wrote:

Hi Andrew:

As the hard copy did not arrive by mail, I have reviewed the digital version that you provided. Please ensure that the hard copies are provided.

Apologies for this; the City forwards all hard copies to avoid double-mailing. As Deon is now temporarily managing Darren’s roles and responsibilities until a new planner arrives, he is fairly new to the process and this was overlooked.

In future, please ensure that the resolution to adopt and resolution to approve are incorporated at the front of the amendment packages.

Deon is aware of the ordering of documents for hard copy submissions; he now has a very detailed template to work from moving forward.

Please complete section 3 Public Consultation in both plan and regulations amendment documents. The details of the public consultation should be provided in the document prior to section 15 review.
A copy of the website notice and date of posting (April 12, 2019 in covering letter) were provided to show legislative compliance with section 14. Without required form, planning has released and registered numerous amendments that do not detail section 14 public consultation in the body of the amendment (e.g. https://www.mae.gov.nl.ca/registry/community/carbonear/pdf/Carbonear_MPA-2005-01.pdf). I plan to complete all sections prior to registration; and have formatted my amendment documents to be as convenient as possible for final registration review (detailing all legislative steps). I fail to see the rationale for refusing release because this section is not completed at this stage, given that all evidence of section 14 is presented in the submission package.

I am aware that this amendment may have been triggered by a specific proposal for a waste diversion facility. In order to improve transparency, please include this information in section 2. Purpose. The public should be informed that there is a proposal on the horizon which requires a change to the Municipal Plan and Development Regulations.

The City is currently in talks with a proponent for a mixed-use development, including private organic waste disposal as component thereof. In my professional opinion, the City's Plan and Regulations have too many, overly specific future land use designations and land use zones (e.g. the very narrow, and restrictive 'Solid Waste / Scrapyard' designation and zone). My advice--until a comprehensive housekeeping amendment or Municipal Plan review is conducted--is to proceed with a specific housekeeping amendment to the Plan and Regulations. Most jurisdictions permit waste disposal in rural areas, not bound to one specific designation and zone.

It does not seem appropriate to reference the specific, ongoing development application in the body of this housekeeping amendment, which applies to all properties in the Rural designation and zone. The ongoing application, and trigger for this housekeeping amendment, will be referenced in the Request for Decision report to Council. Further, the use will be be discretionary once the amendments are processed. This will allow for additional public notice of the specific development, primarily affecting neighbouring property owners, following the housekeeping amendment.

As normal practice, amendments to text should be formatted in the following manner:

- inserting the following “xxxxxxxxxxxxxxx” in the third paragraph, second sentence following the phrase “xxxxxxxxxxxxxxx”;
- the amended paragraph shall read as “xxxxxxxxxxxxxxx”;
- inserting policy or conditions as follows
- where a new policy or conditions is inserted, the subsequent sections should be re-numbered.
I feel my format is clearer and more concise; and without any established required form, I fail to see legislative non-compliance here. Without a comprehensive housekeeping amendment, renumbering policy sections is dangerous (displacing existing policy references) as it may reverberate throughout the entirety of the document.

In the Municipal Plan amendment text, the following must be addressed:

Re-label section 7 to Municipal Plan Amendment No. 2-19 to make it clear that the following text is the proposed amendment.

Section 7 includes the following initial statement: "The City of Corner Brook's Integrated Municipal Sustainability Plan 2012 is amended by changing the text of the document as follows (underlined represents added text where strikeout-represents repealed text):"

All subsequent text is the text subject to the amendment. I don't see how this is unclear (e.g. "text of the document as follows" appears the same as "following text").

Policy 4.10.3 Policies, 08. -- incorrect terminology is used as the term “uses under the solid waste class” is terminology from the Development Regulations. “Solid waste uses” in a more appropriate term for a policy statement.

This is a matter of professional opinion; the land use classification table under the Development Regulations details the specific uses under this use class: Solid Waste Disposal, Sanitary Land Fill, Incinerators. Even if the terminology 'solid waste uses' is used, you're bound to referencing the Development Regulations for the specific uses thereunder (and any associated definitions). I don't see an issue with either 'solid waste uses' or 'uses under the solid waste use class'; however, I fail to see how this is non-compliant with provincial statements of interest, law or policy.

Policy 4.10.3 Policies. 08.A. – delete “review” and replace with a statement indicating the purpose of this submission is to determine whether an EA is required. In general terms, proponents submit required documentation for an EA. The EA division does not undertake a preliminary screening or review of a proposal – it only determines whether the proposal triggers an EA. The included policy statement suggests that a the City will be provided with a preliminary identification of potential environmental factors which it may need to consider. I suggest that as this statement captures a broad array of uses including scrap yards including recycling facilities, mineral workings, solid waste facilities and rural industries, the City may wish to consider whether this referral is a “Shall” or a “may”.

The proposed new policy reads as follows: "08.A. As a part of reviewing and considering a development application for a land use outlined in policy 08., the authority shall forward the application to the Environmental Assessment Division of the Department of Municipal Affairs and Environment (or division/department subsequent thereto) for review."
It's implicit that the purpose of forwarding is to determine whether an EA is required. You've stated: "The EA division does not undertake a preliminary screening or review of a proposal – it only determines whether the proposal triggers an EA." In tandem with considering an application for development, the proposal is forwarded to EA to determine whether or not the proposal triggers an EA. It's merely meant to function as a 'red flag' policy to government.

This policy statement is not suggestive of what you're speculating ("The included policy statement suggests that a the City will be provided with a preliminary identification of potential environmental factors which it may need to consider"); it simply means the application will be forwarded to make provincial officials aware of the proposal. What EA chooses to do with said proposalis entirely up to EA.

This appears to be a matter of professional opinion; I fail to see how this is non-compliant with provincial statements of interest, policy or law.

There appears to be a policy heading missing on page 8. 01.A. as the following sections are policy statements.

My apologies for omission; see attached addition of policy heading "4.12.3 Policies."

Policy 01.A. - incorrect terminology is used as the term “uses under the solid waste class” is terminology from the Development Regulations. “Solid waste uses” in a more appropriate term for a policy statement.

See above.

In the Development Regulations amendment text,

- Referral to EA is not carried forward into the Development Regulations;

I don't see the need for doubling up every policy in the Municipal Plan as a regulation under the Development Regulations. This approach is not adopted in other provincial jurisdictions. Both documents remain consistent/harmonious despite not including each policy provision as a regulation. This appears to be a matter of professional opinion; I fail to see how this is non-compliant with provincial statements of interest, policy or law.

- Re-label section 7 to Development Regulations Amendment No. 2-19 to make it clear that the following text is the proposed amendment.

See above.

- I believe that the City should establish minimum requirements in its Development Regulations for a potentially noxious use such as screening, fencing, separation distances, access, safety etc.
These very well may be added as conditions of any approval upon submission and review of a development application.

If you wish to discuss any of these comments, please do not hesitate to get in touch.

Elaine

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Department of Municipal Affairs and Environment
P.O. Box 8700, St. John’s, NL, A1B 4J6
Tel 709.729.4318

“此电子邮件及其附件仅限于主收件人及抄送收件人的使用，可能包含机密信息。任何分发、使用或复制此信息的行为均被视为严格禁止。如果您收到此电子邮件为错误，敬请删除并通知发送者。”
Based on our discussions yesterday, Kim provided this information. I believe that it provides a required format for amendments which was clearly established by the Department “back in the day”. It ensures that text amendments are completed in a legally acceptable ways.

Elaine

From: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>
Sent: Monday, June 10, 2019 3:02 PM
To: Mitchell, Elaine <ElaineMitchell@gov.nl.ca>
Subject: amendment package with resolutions.doc
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT

TOWN OF --------- MUNICIPAL PLAN AMENDMENT No. -, 20--

Under the authority of section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of ---------

a) adopted the Municipal Plan Amendment No. --, 20-- on the ---- day of ------, 20--, and

b) gave notice of the adoption of the Municipal Plan Amendment No. --, 20-- by advertisement inserted on the ---- day and----- day of 2004 in the--------- newspaper.

c) set the ------ day of --------- at ------ p.m. at the Town Hall, -------, for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the Urban and Rural Planning Act 2000, the Town Council of --------- approves the Municipal Plan Amendment No. B, 20-- as adopted.

SIGNED AND SEALED this ------ day of -------------------, 20B

Mayor: ____________________________

(Council Seal)

Clerk: ____________________________
URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF -------------- MUNICIPAL PLAN AMENDMENT No. X, 20--

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of -------------- adopts the -------------- Municipal Plan Amendment No. X, 20--.

Adopted by the Town Council of -------------- on the ---- day of --------------, 20B.

Signed and sealed this ---- day of --------------, 20B.

Mayor: ____________________________ (Council Seal)

Clerk: ____________________________

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. X, 20--has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP: ____________________________ (MCIP Seal)
BACKGROUND

The Town Council of ---- wishes to amend its Municipal Plan.

(include a paragraph or two describing why Council wishes to amend its Municipal Plan for example Council has received an application for ...)

(include a paragraph or two describing the amendment. Council might be amending the future land use map or Council might be making a change to the text of its Municipal Plan. Clearly state what Council is attempting to achieve: for example, council wishes to permit a greater range of uses it its whatever designation so it is changing Plan policy to allow whatever...)

The precise wording of this amendment is set out below.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiatives so that individuals and groups could provide input. (Outline the public consultation that Council did - for example, A Council held a public meeting on [date] so that the residents could discuss issues relating to [whatever]...@)

AMENDMENT No. X, 20B

1. Section x of the ---- Municipal Plan is amended by deleting items x.x.x through x.x.x and replacing them with the following policy statements.

   x.x.x  blah...blah...blah
   x.x.x  blah...blah...blah

2. Future Land Use Map X is amended as shown on the attached Map. (Plan map must clearly show the area of the amendment by cross hatching or similar means. Do not colour or highlight the area because this will not show up when the map is photocopied. The map must also include a legend which clearly states what designation that the land is being redesignated from and what designation the land is being changed to. Include space for the mayor and clerk=s signatures and the Council seal. Include the CIP certification statement and signature block.)
TOWN OF ———
LAND USE ZONING, SUBDIVISION AND ADVERTISEMENT
REGULATIONS

DEVELOPMENT REGULATIONS AMENDMENT No. X, 20B

month, 20B
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF -----
DEVELOPMENT REGULATIONS AMENDMENT No. X, 200X

Under the authority of section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of -----

a) adopted the Development Regulations Amendment No. X, 200X on the -- day of ----, 200X.

b) gave notice of the adoption of the Development Regulations Amendment No. X, 200X by advertisement inserted on the _____ day and the _____ day of ______, 200X, in the____________________ newspaper.

c) set the______day of _____ at ____ p.m. at the Town Hall, ------, for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the Urban and Rural Planning Act 2000, the Town Council of ------ approves the Development Regulation Amendment as adopted on ________.

SIGNED AND SEALED this ________ day of ____________________, 200X

Mayor: ____________________________

(Council Seal)

Clerk: ____________________________
URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF

DEVELOPMENT REGULATIONS AMENDMENT No. X, 20--

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of -------------- adopts the -------------- Development Regulations Amendment No. x, 20--.

Adopted by the Town Council of -------------- on the ---- day of --------------, 20B.

Signed and sealed this ---- day of --------------, 20B.

Mayor: __________________________

(Council Seal)

Clerk: __________________________

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. x, 20-- has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP: __________________________

(MCIP Seal)
TOWN OF -----

DEVELOPMENT REGULATIONS AMENDMENT No. X, 20B

BACKGROUND

(include a paragraph or two describing, in general terms, the intent of the amendment for example the development regulations amendment is implementing Municipal Plan Amendment No. x, 20B initiated for whatever reason)

PUBLIC CONSULTATION

(Include a brief statement about Council's public consultation process. Since this amendment is associated with a Municipal Plan amendment, reference the Municipal Plan Amendment consultation process.)

DEVELOPMENT REGULATIONS AMENDMENT No. X, 20B

1. Section x of the Development Regulations shall be deleted and replaced by the following:
   x  blah...blah...blah

2. The xxx Use Zone Table (Schedule C) shall be amended by:
   a. adding the following use class to the list of discretionary uses
   b. adding the following condition as Condition x
      x. blah...blah...blah

3. Land Use Zoning Map x is amended as shown on the attached Map y.

(Zoning map must clearly show the area of the amendment by cross hatching or similar means. Do not colour or highlight the area because this will not show up when the map is photocopied. The map must also include a legend which clearly states what the land is being rezoned from and what zoning the land is being changed to. Include space for the mayor and clerk's signatures and the Council seal. Include the CIP certification statement and allow sufficient space for the CIP signature and seal)
Hello team,

For quite some time on the LUP agenda, the topic of submission requirements has been touched on, and brought forward on meeting agendas to keep it on our radar. I believe that Mary appreciates the benefit in the planners prioritizing this to establish a format conducive to common ground and consistency in our internal operations, and to communicate and manage expectations for the municipalities that we serve and the professional planning consultants engaged to undertake the work we review.

Since we’re all in agreement on the need to meet, I’m proposing next Monday morning, mainly with the intent to flesh out this particular issue. (Torrngat room booked for 10:30; will send meeting request).

I recognize that we have other topics to be carried-over from previous meetings. If necessary, I would propose that we allocate only a little bit of time at the beginning of the meeting to address any pressing matters, and defer any other non-urgent items in lieu of this key topic. I will review the last meeting agenda, and please feel free to capture any important business so that we don’t lose sight.

I will follow up with a meeting request, and will of course include Mary in case she has the interest to partake in the discussion.

A couple of documents attached for reference:
- The amendment package with resolutions document
  (The original version of which has been circulated by Urban and Rural Planning Division/the LUP section since the URPA legislation was revised in 2000 and came into effect Jan 2001)
- “Steps to Registration” circular
  (Similarly, this bones of this document stemmed from one of several circulars prepared when the legislation was being rolled out. With the help of a student, I had the original version updated.)

Best,
Kim
Comprehensive Review or Amendment to an existing Municipal Plan and Development Regulations

The Urban and Rural Planning Act, 2000, came into effect on January 1, 2001. “Registration” is the formal process by which the Department of Municipal Affairs and Environment makes sure that Municipal Plans, Development Regulations, and Amendments have been prepared in accordance with the Act, and in conformance with provincial policies and laws.

Under the Urban and Rural Planning Act, 2000, Municipal Councils have assumed responsibility for:
- Providing public consultation opportunity for interested parties to provide input
- Adopting Municipal Plans, Development Regulations, and Amendments to them, subject to provincial review and registration
- Appointing a Commissioner to hold the Public Hearing
- Writing and inserting the advertisements for the Public Hearing in the local newspaper
- Organizing and holding the statutory Public Hearing
- Approving Municipal Plans, Development Regulations, or Amendments
- Bringing Municipal Plan, Development Regulations, or Amendments into legal effect by inserting a notice of registration in the Newfoundland and Labrador Gazette and local newspaper

In general, the steps to registration are:
- Preliminary public consultation
- Provincial review and release
- Formal resolution of Adoption by Council
- Statutory Public Hearing
- Formal resolution of Approval by Council
- Final review and registration
- Coming into legal effect

**Technical Tip:**
For a “stand alone” Development Regulations amendment to change zoning or text (where the change is not contrary to a Municipal Plan policy or future land use designation), Council is only required to give notice in a local newspaper and consider any submissions before submitting the adopted documents for registration. In these cases, a Public Hearing is not required, but may be held if Council wishes.

Adoption

Before Council makes a formal resolution to adopt, the draft documents must first be submitted to the Department for provincial review in accordance with provincial interests. Once released from provincial review, Council may consider for adoption. Council should only pass its “resolution to adopt” when it is fully satisfied with the documents at this stage.

Public Hearing

After Council has made its formal resolution to adopt, the municipality is responsible for organizing the statutory Public Hearing. Remember that the Public Hearing process should be as open and transparent as possible. Council should choose a date, time, and location that is convenient and accessible to residents. The venue location must be within the municipal jurisdiction. Council should try to avoid conflicts with holidays or local events.

The Public Hearing is an important part of the approval process because:
- It is the last opportunity for residents to raise issues
- Residents can make their objections known to an independent Commissioner
- It raises public awareness that a Municipal Plan, Development Regulations or Amendment has been adopted
- It provides a chance for the adopted documents to be viewed by the public
Choosing a Commissioner

Council must now appoint its own Commissioner to hold the Public Hearing. In choosing a Commissioner, Council should be careful to select someone who is impartial with no connection to any of the parties. Other qualities that Council should look for in its Commissioner are: good communication skills, experience managing feedback at a meeting, ability to synthesize input and provide recommendations in a written report, and, ideally, knowledge of planning and/or the Town’s Municipal Plan.

When approaching someone to serve as Commissioner, Council should discuss the candidate’s suitability, availability, as well as costs. It is up to Council to negotiate suitable remuneration. Council may have to pay a retainer to the Commissioner whether or not the Public Hearing goes ahead. Council may also be responsible for various expenses such as travel, printing/copying, and venue rental fees. Council may also wish to discuss a deadline for submission of the Commissioner’s report, which is typically requested within a month from the Hearing date. According to Section 19 (6), the Commissioner cannot be a member or an employee of any Council in Newfoundland and Labrador.

More Technical Tips:
- Council must advertise the Public Hearing twice. The first ad must appear no fewer than 14 days before the Public Hearing. The earliest that the Public Hearing can occur is the 15th day after the first public notice.
- The advertisements must appear at least twice in the local newspaper.
- The adopted documents should be on public display from the date that the first Public Hearing ad appears.
- Objections must be submitted no fewer than 2 days before the date of the Public Hearing.

Holding a Public Hearing

Council must make arrangements for the Public Hearing, including, writing and arranging ads to appear in the local newspaper, booking the room, and deciding who will represent Council.

A representative of Council should be prepared to speak. Council may wish to ask its planning consultant to attend; however, it is not mandatory that the planner attend. The Urban and Rural Planning Division has examples of Public Hearing ads. Section 21 allows Council to cancel the Public Hearing if no objections are received. Council may then pass a resolution to approve at the next public meeting of Council.

Commissioner’s Report

If the Public Hearing goes ahead, the Commissioner will document recommendations in a report for Council’s consideration. After reviewing the report, Council may decide to make changes, withdraw the documents, or hold another Public Hearing. Council can then make a resolution to approve the documents, with or without changes.

Registration

The approved documents are sent to the Department of Municipal Affairs and Environment for registration. The Department’s role is to make sure that Council completed all the steps outlined in the Act. The Department also reviews the approved documents to make sure that they are not contrary to provincial law or policy.

For more information about the registration process, please contact Land Use Planning at (709) 729-3090!

Although we cannot make recommendations, we retain a list of certified planners who offer municipal planning consulting services in NL. We also have templates of resolutions and notices that we can provide upon request. We may be able to provide names of people who have experience, or have expressed interest in, serving as a Commissioner for your Public Hearing.
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF --------- MUNICIPAL PLAN AMENDMENT No. --, 20--

Under the authority of section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of ---------

a) adopted the Municipal Plan Amendment No. --, 20-- on the ---- day of -----, 20--;

b) gave notice of the adoption of the Municipal Plan Amendment No. --, 20-- by advertisement inserted on the -----day and----- day of 20-- in the-------------- newspaper; and

c) set the -- day of ----- at -- p.m., at the ---- [local public venue such as the Town Hall], in the Town of --------, for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the Urban and Rural Planning Act 2000, the Town Council of --------- approves the Municipal Plan Amendment No. --, 20-- as adopted.

SIGNED AND SEALED this ----- day of ---------------, 20--

Mayor: 
__________________________________

Clerk: 
__________________________________

(Council Seal)
URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF -------------- MUNICIPAL PLAN AMENDMENT NO. --, 20--

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of -------------- adopts the -------------- Municipal Plan Amendment No. --, 20--.

Adopted by the Town Council of -------------- on the -- day of --------------, 20--.

Signed and sealed this ---- day of --------------, 20--.

Mayor: ____________________________

(Council Seal)

Clerk: ____________________________

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. --, 20-- has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP/FCIP: ____________________________

(MCIP/FCIP Stamp/Seal)
TOWN OF ---
MUNICIPAL PLAN AMENDMENT NO. --, 20--

BACKGROUND

The Town Council of --- wishes to amend its Municipal Plan.

(Include a paragraph or two describing why Council wishes to amend its Municipal Plan for example Council has received an application for ...)

(Include a paragraph or two describing the amendment. Council might be amending the future land use map or Council might be making a change to the text of its Municipal Plan. Clearly state what Council is attempting to achieve: for example, council wishes to permit a greater range of uses in its ~whatever~ designation so it is changing Plan policy to allow ~whatever~...)

The precise wording of this amendment is set out below.

PUBLIC CONSULTATION

During the preparation of this amendment, Council undertook the following initiatives so that individuals and groups could provide input. (Outline the public consultation that Council did - for example, Council held a public meeting on [date] so that the residents could discuss issues relating to ~whatever~...at ~whatever~ venue).

AMENDMENT No. --, 20--

1. Section -- of the ----- Municipal Plan is amended by deleting items x.x.x through x.x.x and replacing them with the following policy statements.

   x.x.x   blah...blah...blah

   x.x.x   blah...blah...blah

2. Future Land Use Map -- is amended as shown on the attached Map. (Plan map must clearly show the area of the amendment by cross hatching or similar means. Do not colour or highlight the area because this will not show up when the map is photocopied. The map must also include a legend which clearly states what designation that the land is being redesignated from and what designation the land is being changed to. Include space for the mayor and clerk’s signatures and the Council seal. Include the CIP certification statement and signature block authenticating that the work was prepared/certified by a full member or fellow of the Canadian Institute of Planners, including MCIP/FCIP stamp or seal.)
TOWN OF ———
LAND USE ZONING, SUBDIVISION AND ADVERTISEMENT
REGULATIONS

DEVELOPMENT REGULATIONS AMENDMENT No. --, 20--

MONTH, YEAR
URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF ------
DEVELOPMENT REGULATIONS AMENDMENT NO. --, 20--

Under the authority of section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of ------.

a) adopted the Development Regulations Amendment No. --, 20-- on the -- day of ------, 20--.

b) gave notice of the adoption of the Development Regulations Amendment No. --, 20-- by advertisement inserted on the -- day and the -- day of ------, 20--, in the -------------- newspaper.

c) set the -- day of ------ at -- p.m., at the -----[local public venue such as the Town Hall], in the Town of ------, for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the Urban and Rural Planning Act 2000, the Town Council of ------ approves the Development Regulation Amendment as adopted on --------.

SIGNED AND SEALED this -- day of ---------------------- , 20--

Mayor:  __________________________      (Council Seal)

Clerk:  __________________________
URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF
DEVELOPMENT REGULATIONS AMENDMENT NO. --, 20--

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of --- adopts the Development Regulations Amendment No. --, 20--.

Adopted by the Town Council of on the day of, 20--.

Signed and sealed this day of, 20--.

Mayor: ____________________________ (Council Seal)

Clerk: ____________________________

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. --, 20-- has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

MCIP/FCIP: ____________________________ (MCIP/FCIP Stamp/Seal)
TOWN OF ----
DEVELOPMENT REGULATIONS AMENDMENT NO. --, 20--

BACKGROUND

(Include a paragraph or two describing, in general terms, the intent of the amendment for example the development regulations amendment is implementing Municipal Plan Amendment No.--, 20-- initiated for whatever reason)

PUBLIC CONSULTATION

(Including a brief statement about Council's public consultation process. Since this amendment is associated with a Municipal Plan amendment, reference the Municipal Plan Amendment consultation process.)

DEVELOPMENT REGULATIONS AMENDMENT NO. --, 20--

1. Section -- of the Development Regulations shall be deleted and replaced by the following:
   
   x   blah...blah...blah

2. The --- Use Zone Table (Schedule C) shall be amended by:
   
   a. adding the following use class to the list of discretionary uses
   b. adding the following condition as Condition --
      
      x.   blah...blah...blah

3. Land Use Zoning Map x is amended as shown on the attached Map y.

   (Zoning map must clearly show the area of the amendment by cross hatching or similar means. Do not colour or highlight the area because this will not show up when the map is photocopied. The map must also include a legend which clearly states what the land is being rezoned from and what zoning the land is being changed to. Include space for the mayor and clerk's signatures and the Council seal. Include the CIP certification statement and signature block authenticating that the work was prepared/certified by a full member or fellow of the Canadian Institute of Planners, including MCIP/FCIP stamp or seal.)
Ha Ha! Elaine, you must have hit send as I hit send with the document attached to my meeting note. The version I attached simply cleaned up some funny formatting when converted from Word perfect to different versions of MS Word.

For reference, the revised version that I attached to my email lives here:

K

From: Mitchell, Elaine <ElaineMitchell@gov.nl.ca>
Sent: Tuesday, June 11, 2019 12:27 PM
To: Hardy, Christopher <ChristopherHardy@gov.nl.ca>; Akerele, Tolulope Victoria <TolulopeAkerele@gov.nl.ca>; Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>
Subject: FW: amendment package with resolutions.doc

Based on our discussions yesterday, Kim provided this information. I believe that it provides a required format for amendments which was clearly established by the Department "back in the day". It ensures that text amendments are completed in a legally acceptable ways.

Elaine

From: Blanchard, Kimberley <KimberleyBlanchard@gov.nl.ca>
Sent: Monday, June 10, 2019 3:02 PM
To: Mitchell, Elaine <ElaineMitchell@gov.nl.ca>
Subject: amendment package with resolutions.doc
Mitchell, Elaine

From: Mitchell, Elaine
Sent: Wednesday, June 12, 2019 8:29 AM
To: Oley, Mary
Subject: RE: CB amendment

Ok. We can discuss when I get back to the office on Monday.

With regard to the required form, this was sent out at the time that the Urban and Rural Planning Act came into effect and, as a general rule, hold consultants to this format. I discussed this with Kim, who holds the corporate knowledge, and she indicated that this is the MAE preferred format. I also talked to you and you indicated that stick-out and insert was not the appropriate manner for amending legal documents.

Elaine

From: Oley, Mary <MaryOley@gov.nl.ca>
Sent: Wednesday, June 12, 2019 8:25 AM
To: Mitchell, Elaine <ElaineMitchell@gov.nl.ca>
Subject: CB amendment

Hi

Please don't respond back to Andrew until we have a chance to discuss.

Hope the appeals are going well :)

Sent from my BlackBerry 10 smartphone on the Bell network.