

Minimum Planning Requirements

PRESENTATION TO MDOANS

MAY 2022

Session Overview/Objectives



- Why the planning framework was revised
- What are the revisions
- What do the new regulations mean for your municipality

Why Revise the Planning Framework

- Mandatory planning – common across Canada
- Changing public expectations
- Municipal control of its future
- Statements of Provincial Interest



New Planning Legislation (Bill 58)

- ▶ Previous legislation,
 - ▶ planning was **voluntary** and municipalities chose the areas in which to implement land use planning.
- ▶ Bill 58 legislation proclaimed Fall 2019:
 - ▶ planning is **mandatory** every municipality must develop and adopt one or more municipal planning strategies (**MPS**) to govern land use throughout the municipality and fulfill the minimum planning requirements.
 - ▶ municipal units must adhere to minimum planning requirements set out in ministerial regulation.
 - ▶ municipalities must have a policy in their MPS regarding engagement with abutting municipalities on land use.



Statements of Provincial Interest

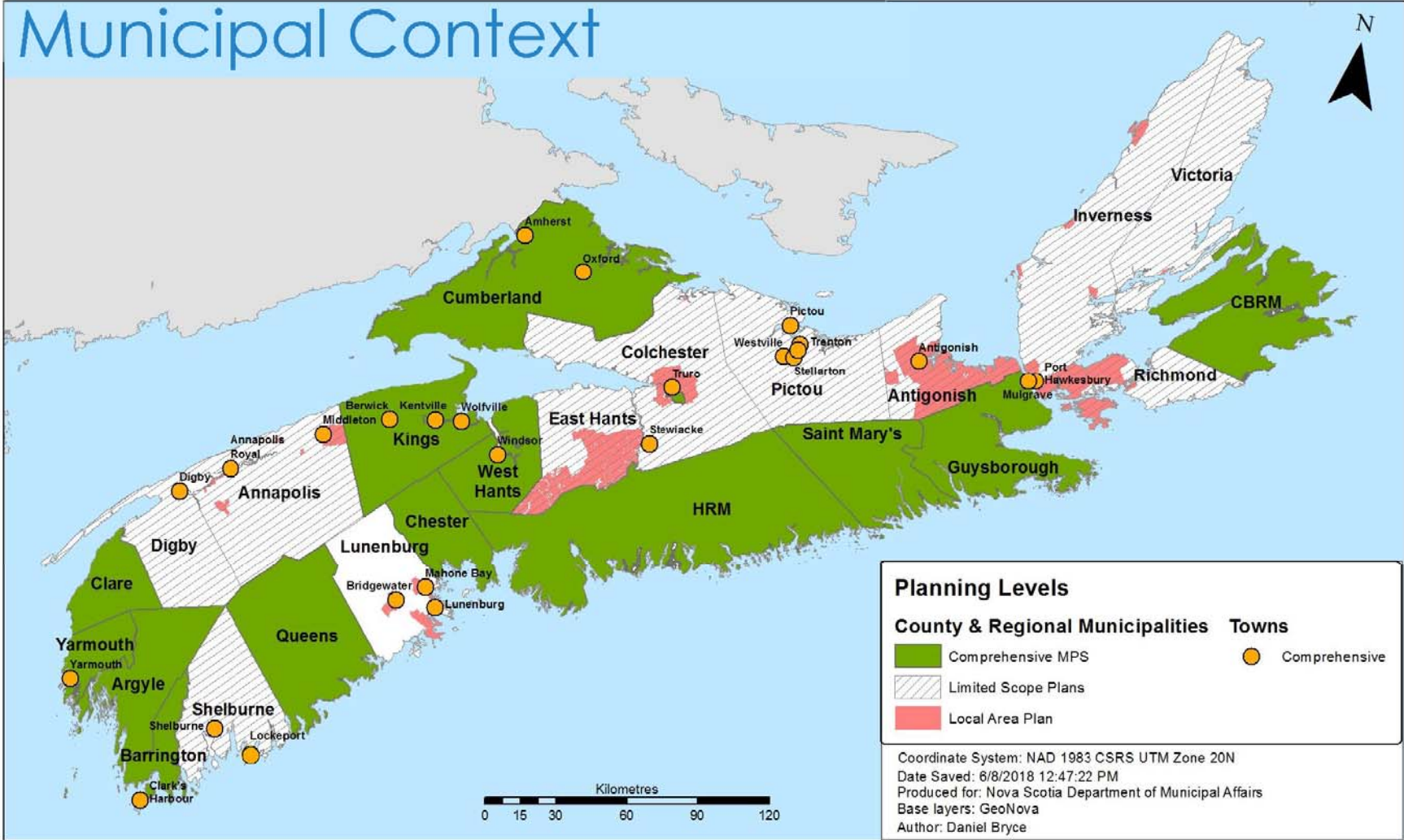
The Provincial Government has created the Statements of Provincial Interest (**SPI**) to protect the common public interest. The five SPIs deal with:

1. Drinking water protection
2. Identification of flood risk
3. Agricultural land protection
4. Efficient use of infrastructure
5. Provision of range of housing



Municipal planning documents must be **reasonably consistent** with the SPI. This means that municipalities must take practical steps to apply the SPIs to the local situation when preparing or amending planning documents.

Municipal Context



Minimum Planning Regulations

- MPS Review period
- Mandatory MPS content
- Discretionary MPS content



Planning Documents Mandatory Review

- Within 10 years of the later of:
 - MPS adoption (post regulations)
 - MPS last review (post regulations)
 - Regulations effective date



Mandatory MPS content

In addition to requirements in the Act, regulations require:

- Background and contextual information
- Generalized Future Land Use Map (GFLUM)
- Policy statements –
 - major land use categories - residential, commercial, institutional, recreation & open space, resource use (where applicable)
 - procedures to be followed when reviewing a municipal planning strategy that must provide for public consultation and notice.



Discretionary Planning Tools

- zoning
- development agreements
- comprehensive development districts
- site-plan approval areas
- incentive or bonus zoning
- cash-in-lieu of parking
- studies to be carried out before development
- staging development
- non-conforming uses and structures
- subdividing land
- limits to development based on noise exposure forecasts



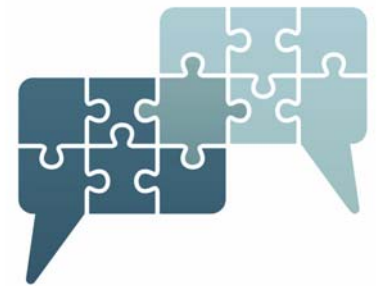
Other Discretionary MPS content

- additional engagement policies
- fiscal matters
- the natural environment
- social aspects
- infrastructure
- culture, heritage and landscape features
- other general matters



Engagement Program Requirements (MPS adopted/amended)

- Council solicits comments - abutting municipalities
- Engagement must deal with SPI
- Provide means for council to consider comments
- Engagement complete before first notice of public hearing
- May be limited by geographical area or topics



Implications for municipal plans

Minimum plan content requirements:

- Comprehensive / Local Area Plans
 - Pre MGA/SPI (1999) – some updating likely required
 - Post MGA/SPI (1999) – likely OK
- Limited Scope Plans / No MPS
 - Adopt new MPS/LUB consistent with new requirements



Engagement Policy - abutting municipalities

- All municipalities must adopt

Questions



Thank you!

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