



Department of Municipal Affairs and Housing

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20 November 2020

**TO: CAOs / Municipal Clerks**

**RE: SUBMISSION of PLANNING & HERITAGE DOCUMENTS for REVIEW**

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Good Afternoon:

Attached is information related to the process for submitting both Planning and Heritage documents to provincial government for Departmental review.

Should you have any questions about these processes or any other aspect of this message, please feel free to contact me or any other member of the Planning team in the Department:

- \* Alan Howell: 902.487.3746 / Alan.Howell@novascotia.ca
- \* Daniel Bryce: 902.424.7922 / Daniel.Bryce@novascotia.ca
- \* Graham Fisher: 902.424.2990 / Graham.Fisher@novascotia.ca

Should you wish to direct your inquiries to the Planner responsible for assisting with the legislated review of your planning documents, please refer to the enclosed map.

Yours truly,

A handwritten signature in blue ink, appearing to read "Gordon Smith". The signature is stylized with a large "G" and "S".

Gordon Smith  
Provincial Director of Planning

Encl.  
/kz

## PLANNING DOCUMENTS SUBMITTED for REVIEW by the PROVINCIAL DIRECTOR of PLANNING

As you know, the *Municipal Government Act* ("MGA") and the *Halifax Regional Municipality Charter* ("the Charter") stipulate that municipal Planning Documents are to be submitted to the Provincial Director of Planning for review. This review is to take place within the legislated 30 days, which commences upon receipt of certified hard copies of the complete Planning Documents package. To facilitate/expedite this review process, the package of Planning Documents received by the Department must be complete. To this end, the authentication/certification of Planning Documents and the requisite number of certified copies required for submission are clarified herein.

### ➤ DEFINITION of 'PLANNING DOCUMENTS'

The MGA and the Charter define "Planning Documents" as a "municipal planning strategy, land-use by-law, development agreement and subdivision by-law;" "an amendment to a municipal planning strategy and a land-use by-law amendment...;" or "a subdivision by-law and an amendment to it."

### ➤ REQUIREMENTS

#### **AUTHENTICATION:**

- Planning Documents *must be originals, signed and certified with the Municipal Seal.*
- Best practice stipulates that the documents are signed by the Clerk or, in the Clerk's absence, the Acting Clerk or CAO.

#### **REQUISITE NUMBER OF COPIES TO BE SUBMITTED:**

##### **(a) APPROVAL REQUIRED – 4 CERTIFIED COPIES:**

- Municipal Planning Strategy (MPS)
- Amendment(s) to the MPS
- Concurrent Amendments to the MPS and Land Use By-law (LUB)
- Subdivision By-laws (SUB)
- Amendments to Subdivision By-laws

##### **(b) NO APPROVAL REQUIRED – 1 CERTIFIED COPY:**

- Development Agreement
- Amendments to Development Agreement
- Land-Use By-law or Amendments to LUB (*without* concurrent changes to the MPS)

If there are errors in the authentication or number of copies of the Planning Documents received by the Department, the Municipality will be contacted.

In order to optimize the review of municipal Planning Documents, the Department can review finalized draft documents prior to the official review undertaken by the Provincial Director of Planning. The intent of this preliminary review would be to identify provisions, policies, regulations or omissions within the draft documents that would not meet the requirements of the official Director Review, as per section 198 of the *Municipal Government Act*, which deals with the Statements of Provincial Interest. The Department would provide feedback where appropriate and work with the Municipality to ensure that revisions to the draft documents will meet the standards prescribed by the MGA.

Given the current global pandemic situation, we encourage you to also provide electronic copies of any Planning Documents being submitted to the Department for review, if this is convenient for you. While this practice would provide us with advanced notice of what is to follow in hard copy, it must be noted that the legislated 30-day review timeframe would not commence until receipt of the hard copies. Should you wish to e-mail these documents, as well as provide hard copies, please submit them to Kathy Zanth, Administrative Support, at [Kathy.Zanth@novascotia.ca](mailto:Kathy.Zanth@novascotia.ca).

### **HERITAGE DOCUMENTS SUBMITTED for REVIEW**

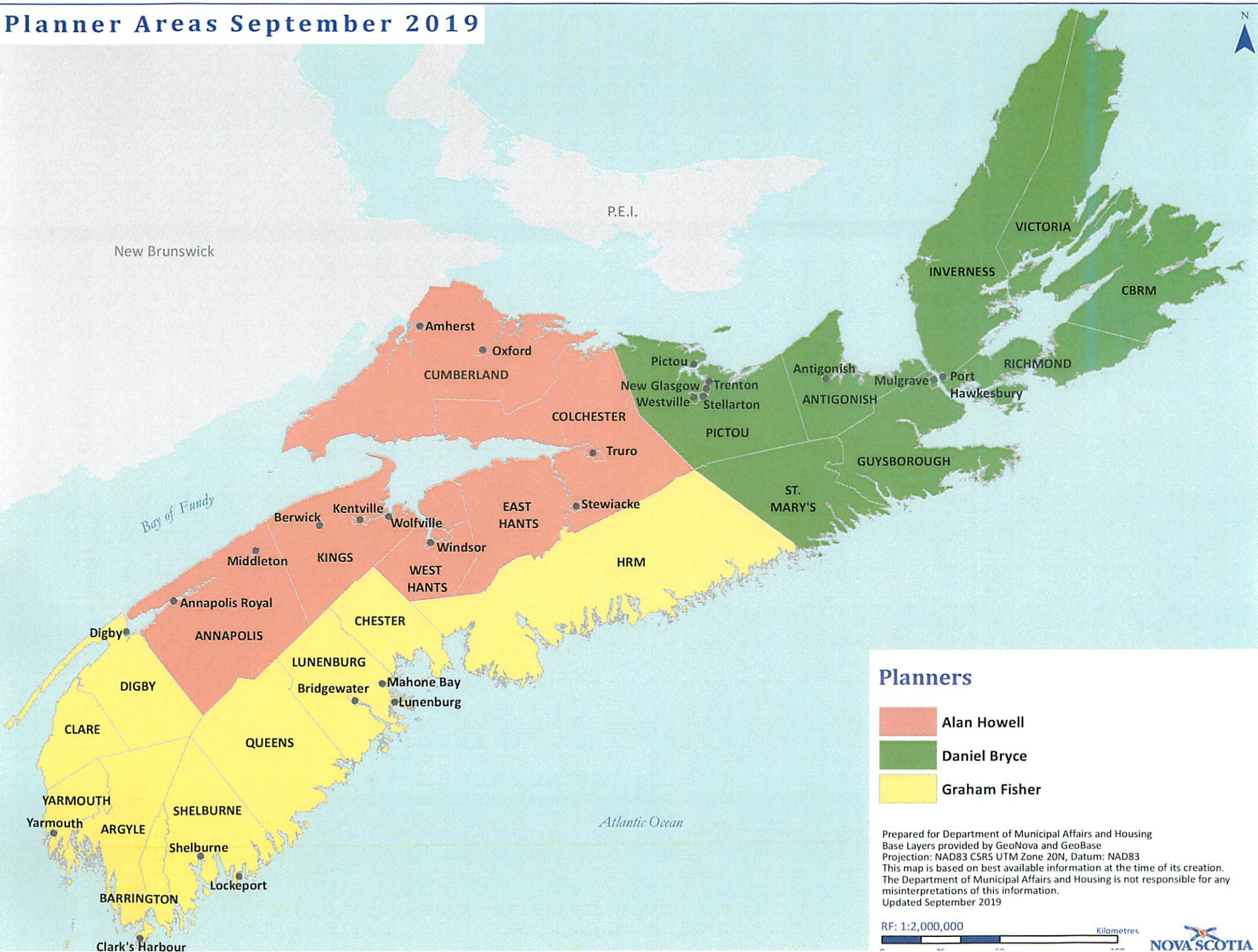
Section 12(6) of the *Heritage Property Act* ("HPA") states that *Heritage Property By-laws* created by a municipality are "subject to the approval of the Minister of Municipal Affairs;" this is owing to section 450 of the *Municipal Government Act* ("MGA").

#### ***REQUISITE NUMBER OF COPIES TO BE SUBMITTED:***

- (a) **HERITAGE PROPERTY BY-LAWS: 4 CERTIFIED COPIES TO DEPARTMENT OF MUNICIPAL AFFAIRS AND HOUSING (DMAH)**  
Four certified copies of Heritage Property By-laws are to be submitted directly to the Provincial Director of Planning using the same authentication procedures as for other Planning documents. Unlike Land Use Planning documents, which are directly regulated by the MGA, plans and by-laws created under the HPA do *not* have a legislated review period.
- (b) **HERITAGE CONSERVATION DISTRICTS AND HERITAGE CONSERVATION LANDSCAPES – 4 CERTIFIED COPIES TO COMMUNITIES, CULTURE AND HERITAGE (CCH)**  
Four certified copies of these documents, along with any related amendments to other Planning documents, are to be submitted to the Minister of Communities, Culture and Heritage, c/o Mr. Kevin Barrett, Heritage Property Program, CCH (kevin.barrett@novascotia.ca/902.424.6396). Submission procedures are as required by the *Heritage Property Act*. Ultimately, these documents will be forwarded to the Department of Municipal Affairs and Housing for the Minister's recommendation to CCH, as per section 19A of the HPA.



# Planner Areas September 2019



## Planners

-  Alan Howell
-  Daniel Bryce
-  Graham Fisher

Prepared for Department of Municipal Affairs and Housing  
Base Layers provided by GeoNova and GeoBase  
Projection: NAD83 CSRS UTM Zone 20N, Datum: NAD83  
This map is based on best available information at the time of its creation.  
The Department of Municipal Affairs and Housing is not responsible for any misinterpretations of this information.  
Updated September 2019