

**Decision Note**  
**Department of Municipal and Provincial Affairs**

**Title:** Streamline authorization of the process for consultation required for amendments to the St. John's Urban Region Regional Plan

**Decision/Direction Required:**

- Whether to streamline the internal process for authorizing the consultation process required when undertaking amendments to the St. John's Urban Region Regional Plan.
- It is recommended the Minister approve a new internal process and sign a revised delegation letter delegating additional authority to the Manager of Land Use Planning (Manager) to expedite processing times with respect to amendments to the SJURRP.

**Background and Current Status:**

- According to s. 7(2) of the **Urban and Rural Planning Act, 2000** (URPA), the Minister is the regional authority for the SJURRP Planning Area.
- Municipal plans prepared by municipalities under their authority from the Act and within the St. John's Urban Region must conform to the SJURRP.
- Where an amendment to the SJURRP is triggered by a proposed amendment to a Municipal Plan/Development Regulations, the municipality requires initial authorization to begin consultations to undertake the enabling amendment process for SJURRP, allowing a concurrent process for the proposed municipal and regional plan amendments.

**Analysis:**

- As the regional authority for the St. John's Urban Region Regional Planning Area is the Minister, the Minister has sole responsibility to refuse to proceed with an amendment to SJURRP. The Minister may refuse to adopt an amendment to SJURRP after the public consultation process and may also refuse to approve an amendment to SJURRP upon review of the commissioner's report after the statutory public hearing.
- Part III of URPA establishes a process for making or amending a plan (including SJURRP). The process may trigger Ministerial involvement at several junctures, of which two are currently delegated to the Manager and three remain under the authority of the Minister.

- Step 1 - Authorization to proceed with public consultation under s.14 of URPA (Current process involves a decision note; recommendation is to delegate authorization to proceed with public consultation to the Manager);
  - Step 2 - Resolution to Adopt under s.16 of URPA (Involves a decision note and signature of Minister);
  - Step 3 - Appointment of a commissioner under s. 9 and Part IV of URPA (currently delegated to the Manager);
  - Step 4 - Resolution to Approve under s. 23 of URPA (Involves a decision note and signature of Minister)
  - Step 5 - Registration of plans and regulations under s. 24(1) of URPA (Registration authority currently delegated to the Manager)
- Public consultation on a SJURRP amendment often serves to identify local issues and provincial interests that may need to be resolved, to inform later decisions by the Minister to adopt or approve a SJURRP amendment.
  - In consideration of a SJURRP amendment, a MAPA planner will identify provincial interests and make recommendations to the Manager of Land Use Planning. If identified issues are significant or contrary to sound planning principles, Land Use Planning staff will advance a decision note to ask the Minister to exercise discretion on whether to proceed to consultations. The Minister has absolute authority to refuse to proceed with a SJURRP amendment or to refuse to adopt or approve an amendment.

### **Alternatives:**

1. Amended delegation letter to give authority to the Manager of Land Use Planning to authorize that consultations may be undertaken in consideration of amendments to SJURRP in accordance with s.14 of URPA. **(Recommended)**

#### Advantages:

- Does not impede the Minister's ability to decide whether to approve amendments at multiple points later in the process.
- The time involved in completing SJURRP amendments would be reduced.
- Municipalities will be able to proceed with SJURRP amendments in a more timely and efficient manner.

#### Disadvantages:

- The Minister, as the regional authority, will not be involved in the decision whether to authorize consultations in consideration of amendments to SJURRP.

2. Do not delegate authority to the Manager of Land Use Planning to authorize that consultations may be undertaken in consideration of amendments to SJURRP in accordance with s.14 of URPA. **(Not Recommended)**

#### Advantages:

- The Minister will continue to decide whether to authorize consultations in consideration of amendments to SJURRP.

Disadvantages:

- The time involved in SJURRP amendment process will be remain the same.
- Municipalities will not benefit from efficiencies in process improvement involving SJURRP amendments.

**Prepared/ Approved:** K. Blanchard/ L. Evoy/ G. Clarke/ J. Hearn

**Ministerial Approval:**



November 4, 2024

**Information Note**  
**Department of Municipal and Provincial Affairs**

**Title:** Fall 2024 Municipal Operating Grant Update

**Issue:** A number of towns are expected not to meet the October 31, 2024, deadline for submission of documentation requirements to avail of a scheduled Municipal Operating Grant (MOG) payment.

**Background:**

- MOGs provide block (unconditional) funding to municipalities below a population threshold to supplement a town's fiscal capacity. In Budget 2024, \$28 million was allocated to MOGs, with payments made semi-annually to municipalities meeting specific documentation requirements.
- To be eligible for an MOG, a town must submit to MAPA, by June 30 of a given year: an acceptable municipal budget, including imposition of per capita own-source revenues at no less than the baseline of the 2015 calendar year; a tax receivable summary; tax recovery plan; and audited public sector accounting board financial statement.
- A municipality unable to submit these records by June 30 is afforded the opportunity to complete and submit them within 12 months of a scheduled MOG payment. Typically, fewer than 20 municipalities do not submit the required documentation required to access a previous year's MOG payment.
- Eligible municipalities are reminded of these requirements annually through departmental circular and Municipal Infrastructure staff work with towns to encourage and help them meet these requirements. MAPA is also working with Municipalities Newfoundland and Labrador on a departmentally funded pilot project to triage and address town challenges completing documentary requirements.
- While MAPA is not permitted to extend the "grace" period for documentation requirements required for an MOG beyond 12 months, the Minister may, under strict parameters, permit an MOG payment in the absence of the specific documentation requirements with conditions and time limits applied.
- MAPA has introduced strict parameters for waiving documentation requirements for an MOG, including industry closure impacting a municipality's revenue stream, natural disaster or other disaster affecting town operations, or challenges with auditors or municipal staff that could not be foreseen in the regular course of town business.

**Analysis:**

- MAPA has imposed strict parameters on exempting municipalities from the required documentation requirements and municipalities are reminded of them annually.

[Redacted]


s. 27(1)(i),  
s. 27(2)(a),  
s. 35(1)(g)

- With respect to the October 31 deadline for submission of documentation required for a municipality to access an MOG, 16 municipalities are likely not to submit outstanding 2022 audited financial statements necessary to access the October 2023 semi-annual MOG payment.
- Once the deadline passes, Municipal Finance staff will make a recommendation with respect to provision of an exemption to the requirement of a 2022 audited financial statement to allow for payment of the October 2023 MOG.

**Action Being Taken:**

- MAPA is monitoring receipt of documentation requirements by the October 31 deadline for purposes of availing of the October 2023 MOG payment. Staff are in frequent contact with towns with outstanding documentation to try to minimize the number of municipalities that cannot avail of the October 2023 MOG.

**Prepared by/Approved by:** G. Clarke/J. Hearn

**Approved by:** 

November 13, 2024

**Decision / Direction Note**  
**Department of Municipal and Provincial Affairs**

**Title:** Approval and Registration of proposed St. John's Urban Region Regional Plan Amendment 1, 2023 proposed by the Town of Portugal Cove-St. Philip's to Align with Amendments to the Town's Planning Documents.

**Decision / Direction Required:**

- Whether to approve and register a proposed amendment to the St. John's Urban Region Regional Plan (SJURRP) required to accommodate amendments to the Town of Portugal Cove-St. Philip's (town) Municipal Plan and Development Regulations.
- It is recommended that the Minister sign the attached documents to approve and authorize registration of SJURRP Amendment No. 1, 2023 in accordance with sections 23 and 24 of the **Urban and Rural Planning Act, 2000** (the "Act").

**Background and Current Status:**

- The SJURRP is a statement of provincial policy for which the Minister of Municipal and Provincial Affairs is the authority. The SJURRP applies to all lands within the St. John's Urban Region Regional Planning Area, including the town.
- The town has requested an amendment to the SJURRP to align with amendments Council is undertaking simultaneously to the town's municipal plan and development regulations. The amendments pertain to redesignation of land from Rural to Urban Development to accommodate potential future residential development.
- The Minister adopted the SJURRP amendment on October 12, 2023.
- Per sections 17 and 18 of the Act, the town published notices of adoption and advertised a public hearing for the amendment to the SJURRP and the associated municipal plan and development regulation amendments in the January 6 and January 12, 2024, editions of The Telegram. The town also sent out alerts via its electronic communication system, Voyent Alerts.
- Per sections 20 and 21 of the Act, the town council provided opportunity to receive objections and representations through a formal public hearing process. The public hearing was scheduled for January 24, 2024. No objections or representations were received before the advertised deadline (January 22, 2024) and, as such, the public hearing was cancelled.

**Analysis:**

- Municipal plans prepared by municipalities under their authority from the Act and within the St. John's Urban Region must conform to the SJURRP. The proposed SJURRP map designation changes would accommodate the town's review of its proposed amendments.

- The proposed amendment to the SJURRP would re-designate lands on the SJURRP map from: Rural to Urban Development. See map (DOC/2024/01048) for proposed changes.
- The Minister previously adopted the proposed amendment. The town's amendments and the SJURRP amendment are being processed concurrently to enable the development proposal under a legal planning framework.
- Per section 24 of the Act, MAPA staff have reviewed the amendment documents and are recommending that the Minister sign the resolution (Annex A) and the accompanying map (DOC/2024/01048) to approve the SJURRP amendment.

**Alternatives:**

1. Approve and authorize registration of St. John's Urban Region Regional Plan Amendment No. 1, 2023 in accordance with sections 23 and 24 of the Act by signing the resolution (Annex A) and the accompanying map (DOC/2024/01048) **(Recommended)**.

Advantages:

- This would complete the process for previously adopted amendment documents.
- The town's municipal plan and development regulations would be aligned and comply with the SJURRP, enabling registration of the amendment documents.

Disadvantages:

- None identified.

2. Do not approve and authorize registration of St. John's Urban Region Regional Plan Amendment No. 1, 2023. **(Not recommended)**.

Advantages:

- None identified.

Disadvantages:

- Not approving and registering an adopted amendment would be inconsistent with past practice, considering no significant concerns were noted.
- Without SJURRPA Amendment 1, 2023, the town cannot proceed with proposed amendments to its municipal plan and development regulations.
- Money spent by the town on the amendment process would be to no benefit.

**Prepared/ Approved by:** C. Hardy/ K. Blanchard/L. Evoy/G. Clarke/J. Hearn

**Ministerial Approval:**



November 25, 2024

**Annex A**

**ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976  
AMENDMENT No. 1, 2023**

**47-57 Thorpe's Road  
Portugal Cove-St. Philip's**

November 2024

**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO APPROVE**  
**ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 1, 2023**

Under the authority of section 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal and Provincial Affairs:

- a) adopted the St. John's Urban Region Regional Plan Amendment No. 1, 2023 on the 12<sup>th</sup> day of October 2023;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 1, 2023 by advertisement inserted on the 6<sup>th</sup> day of January 2024 and the 13<sup>th</sup> day of January 2024 in *The Telegram* newspaper; and
- c) set the 24<sup>th</sup> day of January 2024 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 Minister of Municipal and Provincial Affairs hereby approves the St. John's Urban Region Regional Plan Amendment No. 1, 2023, as adopted on the 12<sup>th</sup> day of October 2023.



\_\_\_\_\_  
Minister of Municipal and Provincial Affairs

Signed and sealed before me at St. John's, Newfoundland and Labrador

this 25th day of November, 2024.

[REDACTED] s.40(1)

\_\_\_\_\_  
Witness

**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT 1, 2023**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Minister of Municipal and Provincial Affairs hereby adopts St. John's Urban Region Regional Plan, 1976 Amendment No. 1, 2023.

  
Minister of Municipal and Provincial Affairs

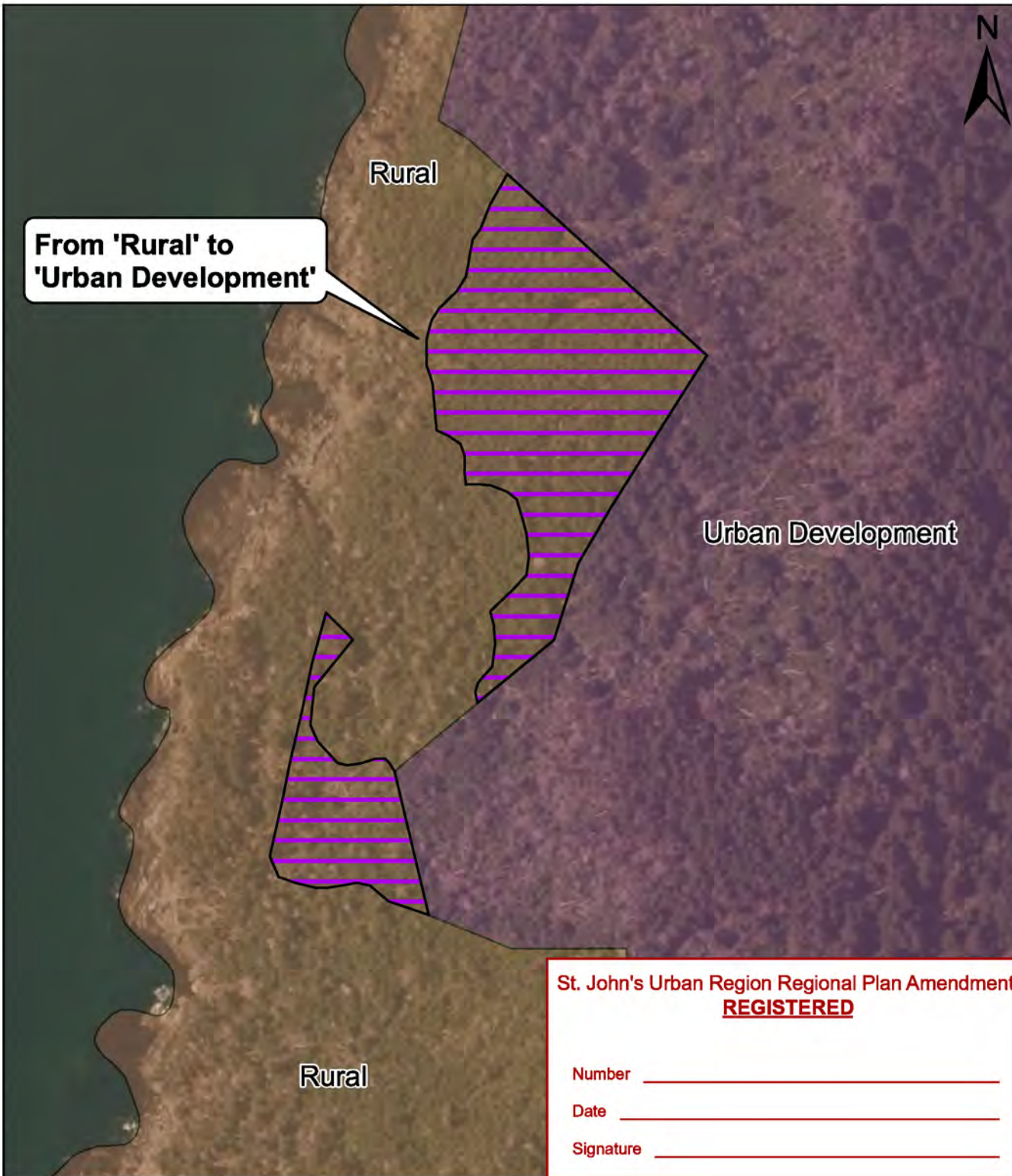
Signed and sealed before me at St. John's, Newfoundland and Labrador

this 12 day of October, 2023




**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

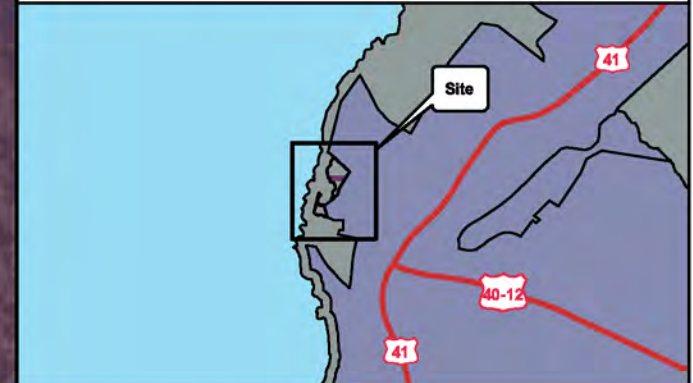
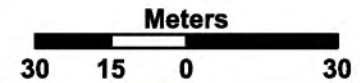
I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment 2, 2021 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



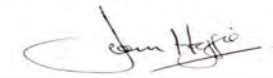


**St. John's Urban Region  
Regional Plan Amendment No. 1, 2023  
Portugal Cove – St. Philip's  
(Related to MPA 13, 2022 & DRA 21, 2022)**

-  From 'Rural' to 'Urban Development'
-  Urban Development
-  Rural



Signed this 25 day of November, 20 24.



Minister of Municipal and Provincial Affairs

St. John's Urban Region Regional Plan Amendment  
**REGISTERED**

Number \_\_\_\_\_  
Date \_\_\_\_\_  
Signature \_\_\_\_\_

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 1, 2023 has been prepared in accordance with requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: \_\_\_\_\_




**Decision / Direction Note**  
**Department of Municipal and Provincial Affairs**

**Title:** Town of Sandringham's Municipal Planning Area and Interim Development Control Authority.

**Decision/Direction Required:**

- Whether to establish a Municipal Planning Area for the Town and provide Council with Interim Development Control authority.
- It is recommended that the Minister establish a Municipal Planning Area (MPA) for the Town [different from the municipal boundary (see attached map)] and provide the Town with authority to enforce the **Interim Development Regulations, 2003** (NLR 137/03) (the IDR), within the Town's MPA.

**Background and Current Status:**

- On September 26, 2023, the Town requested the Minister establish a MPA to facilitate the preparation of an inaugural Municipal Plan and Development Regulations for the Town.
- The Town is looking to regulate development within its municipal boundary and a defined area adjoining the municipal boundary.
- The Town requested its MPA be larger than its previously established municipal boundary to control development in a defined area adjoining the municipal boundary where land use conflicts may occur.
- When a MPA is established, the **Urban and Rural Planning Act, 2000** (URPA), requires Council be given development control authority under the IDR until Municipal Plan and Development Regulations are brought into legal effect.
- The Town has retained a planning consultant to prepare a Municipal Plan and Development Regulations.

**Analysis:**

- Subsection 11(1) of URPA allows the Minister to establish a MPA and define its boundaries.
- The proposed MPA was submitted to the Interdepartmental Land Use Committee (ILUC) for review. The ILUC summary and report recommended approval of the proposed MPA.
- URPA requires Council be given authority under the IDR, until a municipal plan is brought into legal effect.
- Once established, the Town's MPA must be added to the schedule of the IDR for the Town Council, to have authority to regulate development in accordance with the IDR.
- The IDR provides overall discretion for a Town Council to consider, and either approve

or refuse development requests from the time the MPA is established until the Town's Plan Regulations come into legal effect.

**Alternatives:**

1. Approve the establishment of the Town's Municipal Planning Area and provide its Council with authority under the IDR. **(Recommended)**

Advantages:

- o The Town will have planning control over the land within their municipal boundary, including the adjoining defined area, to control development.
- o The Town will gain autonomous powers for determining appropriate future development within its boundary.

Disadvantages:

- o None identified.

2. Do not approve the Town's request to establish a Municipal Planning Area and do not provide the Town with authority under the IDR. **(Not Recommended)**

Advantages:

- o None identified.

Disadvantages:

- o This will not be in accordance with the intent of URPA.
- o The expenses incurred by the Town to engage a planning consultant will have no benefit to the Town.
- o The Town Council will not have municipal planning and development authority within its municipal boundary, and within the protected public water supply area.

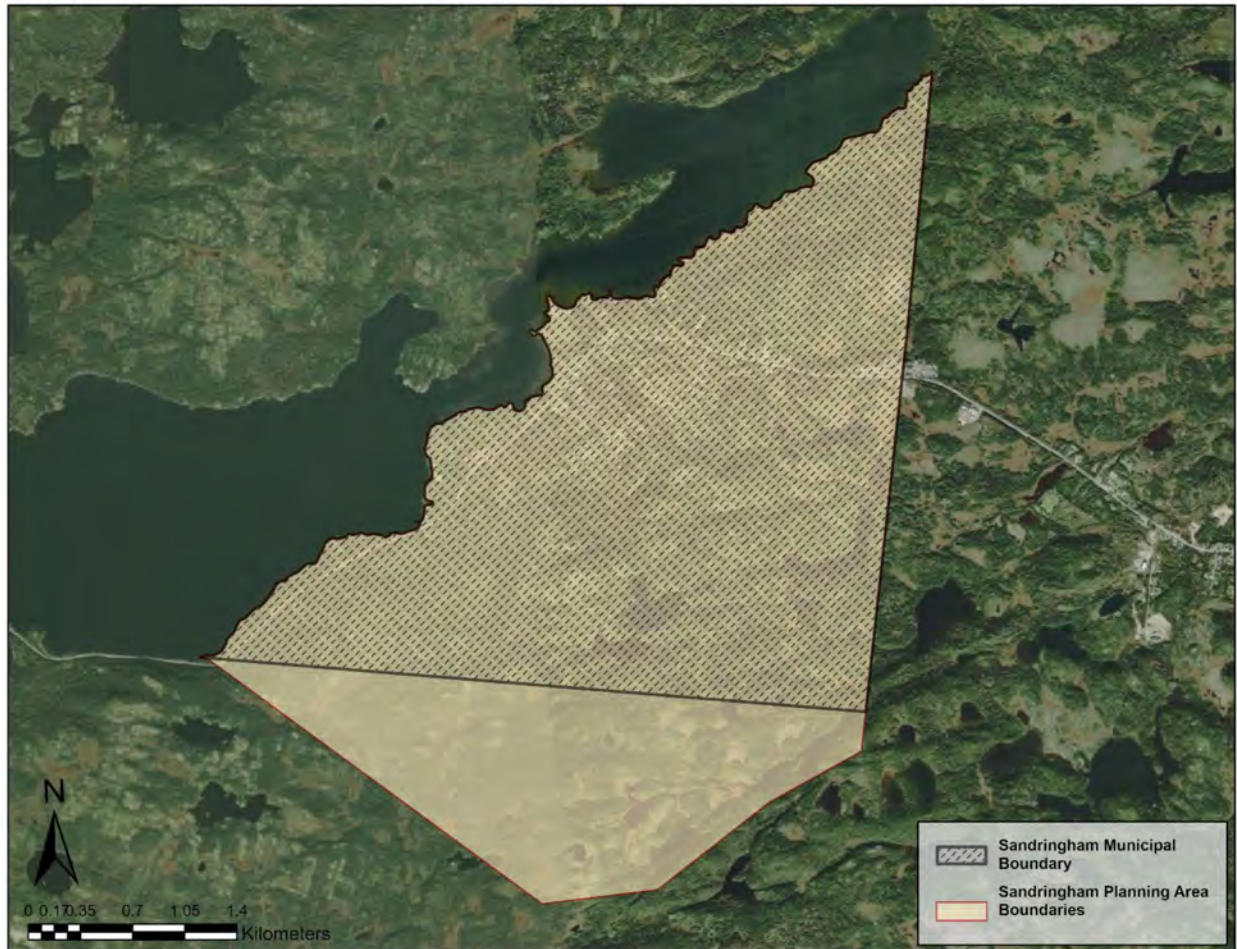
**Prepared/Approved by:** T.V. Akerele/ K. Blanchard/ L. Evoy/ G. Clarke/ J. Hearn

**Ministerial Approval:**



November 26, 2024

### Proposed Municipal Planning Area Boundary - Sandringham



**Town of Sandringham's Planning Area Draft Legal Description**

Starting at the northeast corner of the Municipal boundary on the shoreline at approximately 48°40'58.37"N and 53°48'7.16"W, then south to approximately 48°38'31.37"N and 53°48'36.73"W then southwest to approximately 48°38'20.85"N and 53°49'7.47"W continuing southwest and adjusting for the Happy Adventure Protected Watershed boundary to approximately 48°38'2.57"N and 53°49'44.93"W and continuing southwest to approximately 48°38'0.30"N and 53°50'21.95"W and continuing west to approximately 48°38'0.32"N and 53°50'23.06"W to the border of Terra Nova National Park and then northwest along the border of Terra Nova National Park to 48°38'55.65"N and 53°52'10.73"W then northwest to the intersection with the shoreline at approximately 48°38'55.81"N and 53°52'12.79"W and then northeast following the sinuosity of the shoreline to the starting point at approximately 48°40'58.37"N and 53°48'7.16"W.

