

# National Planning Permit Process

Discussion Paper

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Strategic Policy and Investment Directorate

Parks Canada Agency

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## Introduction

### Parks Canada's Mandate

*On behalf of the people of Canada, we protect and present nationally significant examples of Canada's natural and cultural heritage, and foster public understanding, appreciation and enjoyment in ways that ensure the ecological and commemorative integrity of these places for present and future generations.*

Parks Canada's primary objective is to maintain and restore the ecological integrity of protected places. How we present national significant examples of our heritage is managed with this goal in mind.

Parks Canada has legislative authority for land use planning for protected areas, including seven national park townsites (with the municipality administering planning authorities in Banff), commercial ski areas, golf courses, farmland, national marine conservation areas, national historic sites, development along historic canals and waterways, and heritage railway stations and lighthouses. In addition, Parks Canada manages the needs of residents, seasonal visitors, local communities, and those providing services in these heritage places. Land use planning authority includes the responsibility to rigorously assess both external and internal applications for proposed construction and renovation projects.

Parks Canada's mandate has not changed in over 100 years. Improvements to how we administer planning controls in specifically designated recreational and visitor service areas will be another way to reaffirm ecological integrity as the first priority in decision-making.

## Purpose

Parks Canada is undertaking a review of its regulations and policies related to land use management and permitting. Planning permits are a way to exercise control over how land may be developed and administered. This is done through regulations, which are a form of law that states rules that apply generally and which are given authority through enabling acts. Parks Canada is seeking your opinion on steps and considerations, as we work to update the planning permit process to better reflect modern planning principles and meet the highest standards of scrutiny. Comments on this process should be sent to [permis-permits@pc.gc.ca](mailto:permis-permits@pc.gc.ca).

The results of this exercise will be used to develop a new national planning permit process to replace the current framework in Canada's 47 national parks, national urban park, 4 marine conservation areas, and 171 national historic sites. **The project will involve creating new regulations, updating existing plans and policies, and implementing new systems to assist with compliance.**

This discussion paper is intended to facilitate public conversation about identified best practices within the context of Parks Canada's land use role. The research includes a review of planning practices from:

- Forty-four (44) Canadian municipalities of various sizes (Annex I), including 14 select interviews
- Provincial and territorial authorities, as they relate to municipal planning authorities
- Various provincial parks
- National parks from Australia, New Zealand and the United States of America

This research has allowed Parks Canada to better consider best practices from across the country and internationally. This paper presents approaches to planning permitting that may fit Parks Canada’s unique model for land management and provides options and questions for consideration. As a first step, Parks Canada will consider feedback from various stakeholders. Proposed regulatory changes will then be developed and published for public comment in the Canada Gazette Part I, as part of the Government’s regulatory process.

**Question for Readers**

*Q1: How do you view the role of Parks Canada in planning permitting and compliance?*

## Context

Parks Canada’s current development, building and occupancy permit review process is divided among several statutes, regulations and local policies. It focuses on the type of place (e.g., within a national park versus a waterway) rather than providing a nationally consistent planning permit process. In addition, there are variances in how each place (e.g., a park) implements the process. All regulations concerning permitting for construction and renovation projects need to be updated to reflect current national standards and to ensure consistency with municipal and provincial/territorial approaches from across Canada. Parks Canada will undertake a policy review to ensure that internal tools support regulatory changes.

In National Parks, land use planning control under the *Canada National Parks Act* is administered through several regulations, supported by local policies:

- *National Parks Building Regulations*
- *National Parks of Canada Cottages Regulations*
- *National Parks Signs Regulations*
- *Town of Jasper Zoning Regulations*

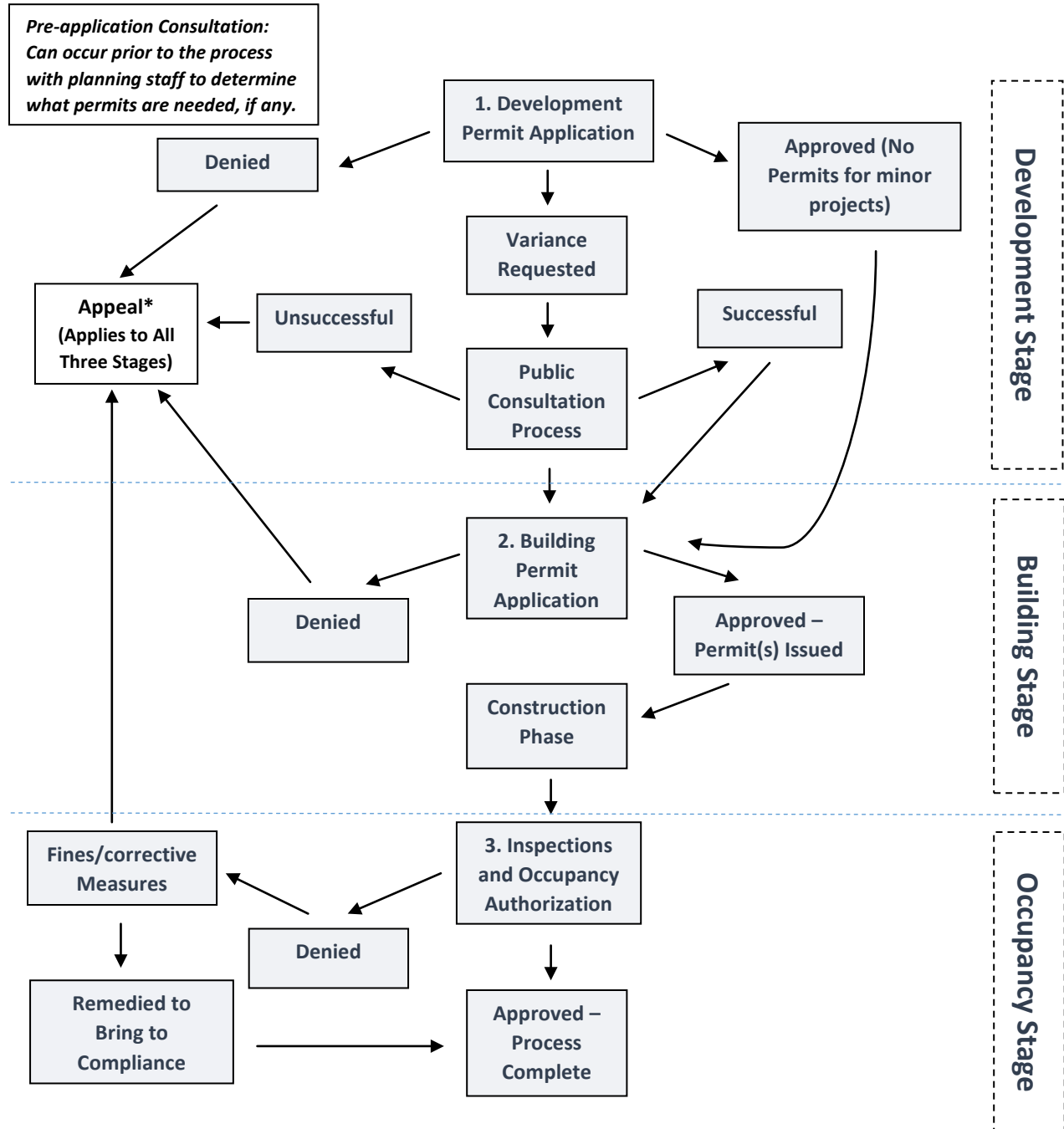
Separate legislation and regulations provide authorities to control construction and building projects of all sizes at other types of heritage places (such as *Rouge National Urban Park Act*, *National Marine Conservation Act*, *Historic Canals Regulations*, *Heritage Lighthouse Protection Act*, and *Heritage Railway Stations Protection Act*). A new permitting process could also be applied to these places in order to establish a single modern effective planning framework that is consistent across Parks Canada places creating confidence and efficiencies for all parties.

Having one framework apply across the country would allow Parks Canada to better manage and protect these places. New regulations could set a process for public notification, consultation and appeals. They could also establish service standards for approvals and add a national fee schedule to the Parks Canada Agency Master Fees List. New regulations will continue to be supported by various Parks Canada policies, community plans and management plans.

*Q2: What are the pros and cons of a uniform planning permit process for heritage places administered by Parks Canada?*

## Typical Municipal Planning Permit Process Model

A typical process includes three main stages: development review, building review and occupancy authorization. Each stage is examined in depth in this paper. Based on the municipal best practices research, here is an overview of the typical planning permit process Parks Canada could follow:



*\*If the decision is overturned upon appeal, the applicant returns to the same permit stage of the permit process. Since Parks Canada is a federal government agency, applicants can seek recourse through the Federal Court.*

Q3: Is this model easy to understand? Why or why not?

## Planning Permit Process

Creating a new framework that is familiar to Canadians is important to increasing awareness and ease in the application process for development and building permits. Typically, the exercise of land use planning in municipalities must meet certain requirements found in provincial/territorial legislation, such as planning and municipal acts. This includes permit decisions, an appeal process, public consultations, and official/municipal development plans. Parks Canada exercises planning authorities without provincial/territorial planning acts. Therefore, while similar to how a municipality would manage the process, Parks Canada is somewhat different as well. Accordingly, Parks Canada is in a position to create a model of land use management tools that fits its mandate to protect unique places. The following are answers to common questions based on best practices in Canadian municipalities:

**When would I need a development permit?** A development permit is typically required for any alteration of land, the construction, addition, or alteration of any building or structure (excluding renovations) and for the subdivision of lands.

**When would I need a building permit?** Generally, building permits are required for the construction of a new building, addition or alteration of any building or structure with an area over 10 square metres.

**When is a building permit NOT required?** Building permits are typically not required if minor projects, such as fences and decks, meet height and floor area requirements that are set out in municipal bylaws. Painting and decorating typically do not need a permit.

**When would I need an occupancy permit?** Occupancy permits are commonly required for major projects, such as new commercial buildings or multi-unit residential buildings. They are typically not required for a residential single-detached dwelling, a duplex dwelling or a semi-detached dwelling. This varies, however, as some municipalities do not issue occupancy permits outright and instead just authorize occupancy as part of final building inspections.

**Do I need a building permit to build a deck?** A building permit would be needed if the deck has a walking surface greater than 10 metres squared and if the deck is attached to or adjacent to the house with a height of two feet or higher above grade.

**Do I need a permit to build on a shoreline, such as a dock or boathouse?** Typically, the answer is yes. However, this may depend on the location, type of dock, size and requirements of the specific municipality. You may also require approval from different levels of government and/or appropriate authorities, depending on where the dock is located.

**Do I need a permit to build a fence?** Generally, you do not need a building permit to build a fence, but it must comply with the requirements set out with regards to height, setbacks and sight line. A development permit and a building permit may be needed if the fence does not comply.

**Do I need a permit to erect a sign?** Generally, the installation of permanent exterior signs do require sign permits. Some municipalities issue sign permits under development permits.

## Permitting and Inspection Process

### Development Permit

In most Canadian provinces and territories, construction is regulated and controlled through a development permit, however, some use a site plan approval process. Parks Canada currently uses the development permit application model. It remains appropriate for new regulations because it is the most common and consistent in Canada. The field unit superintendents at Parks Canada can retain the authority and discretion to issue permits related to all types of construction.

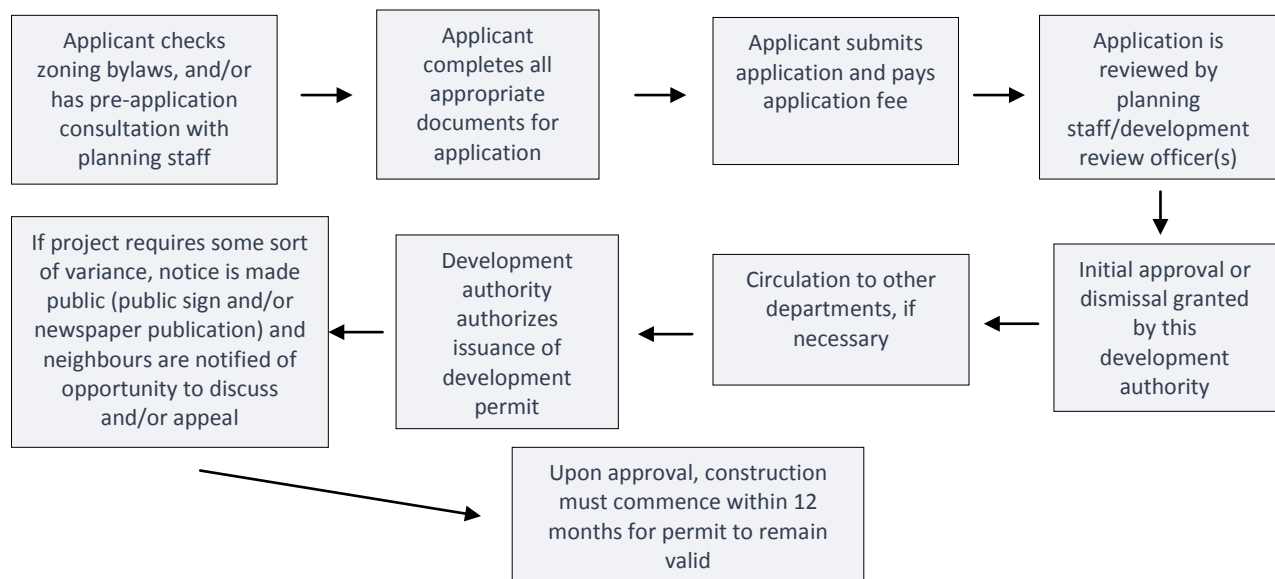
#### What is a Development Permit?

A development permit approves the use of a specific parcel of land. It allows the approving authority to make decisions on the acceptability of a project based on the criteria and specifications set out in the corresponding acts and regulations. It gives the applicant assurance early on in the process through a permit.

*Q4: What are the strengths and weaknesses of the current Parks Canada planning permit process?*

### Typical Municipal Permitting Process

The following is a look at a common municipal process for development permitting. Different projects may require different applications and steps, such as a public consultation requirement, which will be discussed later. This is a general guide.



### Consideration: Pre-Application

#### Consultation

A common practice within Canadian municipalities is pre-application consultation, which allows applicants to meet with qualified planning staff prior to submitting their permit applications. Parks Canada currently does not have a formal pre-application consultation option. These programs expedite project review and ease the process of permit applications by ensuring that the necessary application work has been completed, or will be completed, prior to the complete application submission. A fee may be requested and can be credited upon receipt of a complete development permit application.

#### Typical Development Permit Application Requirements:

- Scaled site plan with legal description of lot, civic address, street names/lanes, dimensions of site, building sizes and yard setbacks, north arrow, parking and loading, and garage storage areas (if applicable)
- Scaled floor plans with elevation, room uses and area uses, all doors, locations of all exits, means of egress, emergency lighting, fire alarm and smoke alarm devices, and location of bathroom
- Noted existing and proposed lot grades
- Location of various existing, drainage, public sidewalks, municipal fixtures, fences relative to the property line, etc. (both existing and proposed)
- A statement of existing and proposed uses
- A statement of registered ownership of land and/or Certificate of Title indicating ownership
- A map indicating land uses on all parcels of land located within 30 m of the proposed project site
- Signed statements from a professional engineer or registered architect
- Estimated duration and costs of project
- Applicable Fee

*Q5: Should pre-application consultation be mandatory for certain classes of projects?*

#### Service Standard

The time it takes to assess and approve a development permit varies based on a municipality's size, scope, number of qualified staff, resources, and bylaw and provincial/territorial requirements. Some applications can be approved fairly quickly, while more complex ones can take much longer. Jurisdictions have often put service standards in place for processing applications. For example, Ontario caps review for development permit applications at 45 days. In Manitoba the service standard is 60 days. Some municipalities, such as Whitehorse, Yukon, have their own service standards. Notably, the examples provided here take into account the capacity, organizational structure and mandate of the particular municipalities. Determining service standards for Parks Canada in this area would need to consider a number of factors and reflect the mandate, mission and objectives of the Agency as well as the effort expended and available resources. This may mean different service standards in different parts of the country or according to the scope of a project that would be set out in policy.

#### Consideration: Permit Classification System

Permit classification is a way for municipalities to categorize the scale and scope of permit applications. At the City of Edmonton, permit classifications are explicitly stated to indicate to applicants when, and under what classification, development permits are needed. Edmonton has the following three classes of permits:



<p><b>Class 0: No Permit Required</b>                  Minor types of construction like minor repairs or fences under a certain height. These projects do not require a permit.</p>	<p><b>Class A: Permitted Projects</b>                  These projects comply with all bylaws and require a development permit. They are not difficult to obtain since the projects meet the zoning provisions.</p>	<p><b>Class B Permits: Discretionary Projects</b>                  Includes all projects for discretionary use (at the discretion of the municipality) or requires a change/amendment to a zoning bylaw. These projects require a permit and, upon issuance, the municipality must place a notice within 10 business days in the newspaper and must notify neighbouring property owners, who have a right to appeal.</p>
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The City of Toronto has

a similar process with its STAR Application Stream. Essentially, this classifies applications into three distinct categories (Complex, Routine, and Quick) and gives a general timeframe for applications to be reviewed (9 months, 4 months, or 3 months), depending on the category the application falls under. While the size and scope of Toronto and Edmonton’s planning permit process is relatively incomparable to Parks Canada’s, the addition of service standards for each classification is something to consider in

*Q6: Would a permit classification system be useful at Parks Canada?*

addition to a development permit classification system.

Consideration: Development Variance Permit

Common in British Columbia, a development variance permit allows applicants to vary the height and setback requirements listed in zoning bylaws without requiring a bylaw amendment. However, this does not apply to changes in the use of land or building density. At Parks Canada, the equivalent to the municipal zoning requirements are found in community plans or in land use policies. Development variance permits could fit Parks Canada’s model better if the field unit superintendents are able to authorize limited variances under unique circumstances on a case-by-case basis, as is the case in British Columbia. This applies particularly to townsites.

*Q7: Should Parks Canada explore flexibilities to provide for variances into the permit process? Why or why not?*

**Building Permit**

Municipalities throughout Canada follow the *National Building Code of Canada*, or the provincial/territorial version. When building permit applications are received, they are inspected, monitored, and examined against the necessary codes (e.g., building, fire, plumbing, and energy codes). This process is followed at Parks Canada and, depending on the project, additional permits may also be required. Parks Canada often attaches various conditions to permits that must be complied with during

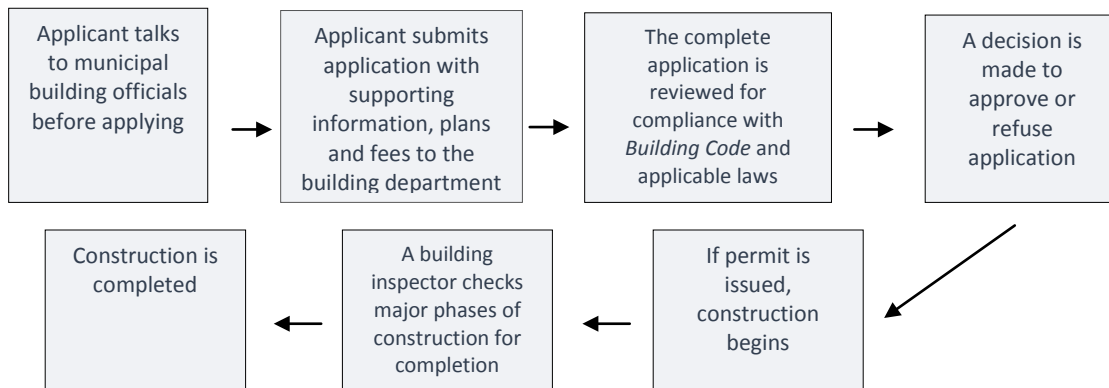
**What is a Building Permit?**

**A building permit is used to regulate the construction, alteration, renovation, and, in some cases, demolition of buildings or structures to ensure projects meet the standards of governing building and safety codes through inspections before, during and after construction.**

the construction process, including requiring certain additional permits (i.e., gas, electrical or plumbing, etc.).

### Typical Municipal Process

The following diagram outlines the most common process for municipal building permit review. Again, this is just a guide and certain municipalities may have additional or different steps.



### Service Standard

Similar to development permits, there is no definitive service standard throughout the country for reviewing building permit applications. Building permits are issued before the project commences. The *Ontario Building Code*, for example, sets out a service standard for building permit application decisions. For residential houses, it is 10 days. For more complex buildings, such as a hospital or recreational centre, the service standard is 30 days. In the Regional Municipality of Wood Buffalo, Alberta, a correctly completed application with all the necessary documentation, can take a minimum of five business days to a maximum of 15 business days after it is received.

Parks Canada will consider service standards that are based on the type of permits being sought and the resources required given competing Agency priorities. Any standard implemented for Parks Canada would take into consideration the Agency’s mandate, location, and local capacity to process applications.

### Consideration: Fast Tracking Applications

Various municipalities have implemented a fast tracking program that quickens the building permit review process for an additional fee. This can only be used for minor additions or alterations, such as secondary suites or decks. Another option is to combine development and building permits into one process, as is the case in Leduc, Alberta, where an applicant pays a fee of \$500 for a residential development permit application to be sped through the permit process in three business days. Any consideration of such an option would need to take into account the Agency’s broader mandate, timing, and competing Field Unit priorities, and therefore may not be universally available.

*Q8: Would a fast tracking application option be useful for Parks Canada? Why or why not?*

### **Building Inspections and Authorizations for Occupancy**

Inspections for conformity with the *Building Code*, permit requirements and permit conditions are critical to ensuring that construction is completed to the highest standards. Municipalities in Ontario conduct regular inspections at specific stages throughout the building process (e.g., building siting, post

foundation, utilities rough in, insulation/vapour barrier installation, after fixtures are installed, and/or for final inspection). In this example, the fee for these inspections is included in the building permit. Some Canadian municipalities leave it up to the applicant to ensure compliance through external inspections directly paid for by the applicant. For example, Alberta Municipal Affairs has accredited agencies that are approved to issue permits for building, plumbing, electrical, and gas on behalf of municipalities. These certified code officers are contracted to process permits for communities and

*Q9: What improvements could be made to the current Building Code enforcement and inspection process at Parks Canada?*

conduct inspections during the building process. They can be employed by the municipality or the proponent for certain inspections.

Occupancy Permits or Certificates of Conformity

Occupancy permits, sometimes referred to as Certificates of conformity, are issued to allow for the occupation of certain structures and buildings. They are issued when a completed building meets the necessary servicing and safety standards. Occupancy permits generally apply to all or a portion of a building that is being constructed or altered. Regulations for occupancy permits are most commonly found in municipal building bylaws. Parks Canada currently follows an occupancy permit process. Some municipalities require the submission of necessary documentation before the issuance of an occupancy permit, while some simply approve occupancy during the final building inspection.

*Q10: Should an occupancy permit be a separate permit application or simply used upon completion of a final building inspection? Which option is preferable and why?*

## Public Consultation

Public consultation is common in planning. It offers the public an opportunity to provide their input on changes in their community. Public consultation is necessary for development permit proposals requiring a variance from an established municipal zoning bylaw in Canadian municipalities. At Parks Canada, authority lies with the field unit superintendent, who determines when public consultation will take place for larger scale projects. Public consultation is also required for adoption, review, or amendments to any municipal land use policy or regulation. This is similar to Parks Canada, as public consultation is required when updating or amending community plans and management plans.

The following table lists projects typically requiring public consultations in municipalities. A proposed process for public consultation could mirror those of other Canadian municipalities, where applicable.

Requires Consultation	Does Not Require Consultation
<ul style="list-style-type: none"> <li>- Applications for discretionary uses in a zoning bylaw</li> <li>- Projects that requires a variance from bylaws</li> <li>- Rezoning an area/amendment to zoning bylaw</li> <li>- Adopting or amending a bylaw</li> <li>- Adopting an interim planning policy</li> <li>- Adopting or amending an official plan or management review plan</li> <li>- Plan of subdivision</li> <li>- Site plan control areas</li> </ul>	<ul style="list-style-type: none"> <li>- Applications for permitted uses in a zoning bylaw</li> <li>- Less complex projects, such as redeveloping existing buildings to add less than 50 percent of the Gross Floor Area</li> <li>- Low density residential projects, such as a single or semi-detached building</li> <li>- Some discretionary variances or conditional use to a bylaw not resulting in the increase of intensity or density of the use of a site</li> </ul>

*Q11: For which projects should public consultation be required?* 10

## Public Notification for Planning Permit Applications

Public notification is necessary for effective public consultation. What is commonly seen is that the local public is notified of the meeting via a sign placed on, or adjacent to, the applicant's property. The sign specifies the nature of the proposal, the time and place of the public consultation, and the planner's contact information. It is often common practice to mail a notice to all property owners, or in Parks Canada's case, lessees, in the surrounding area (usually within a certain measured proximity). Publishing the information in a newspaper is also common. The provinces and territories vary on when notice must be advertised in their municipalities. For example, it can range from not less than three days before the meeting in British Columbia to not less than 21 days for first notice in New Brunswick.

The City of Edmonton uses its permit classification process, as previously mentioned, to determine when public notification is required based on the complexity of the project proposal. Class A permits, those designated as "permitted" projects, conform exactly to the zone's regulations and therefore, the public is not notified. Meanwhile, Class B permits, those designated as discretionary projects or those that require an exemption from one or more of the current zoning bylaw requirements, require public consultation. Parks Canada can follow a similar classification system. Public consultation and notification also provide opportunities for Parks Canada to continue to partner and engage with Indigenous groups in areas of common interest and mutual benefit.

*Q12: How far in advance should neighbouring lessees and other local stakeholders be notified of discretionary development permit project proposals? By what means?*

## Accessibility of Permit Applications at a National Level

Parks Canada has a national scope and some development permit applications may attract national interest. Accordingly, it is important to consider possible opportunities for engagement through national fora for comment and feedback. It is common for many municipalities to post a registry of municipal plan updates and active permit applications on their websites. This registry would often be accompanied by application documents, contact information from developers and owners, and any subsequent studies done as part of the application. This allows the details to be readily available to the public for review and helps promote transparency and public engagement. Municipalities also often allow for public comments to be submitted online for those unable to attend public consultations. An email subscription option is becoming more commonly used among municipal planning departments to notify interested individuals of active applications and current municipal projects in the community.

*Q13: Should Parks Canada seek national and regional feedback on project proposals? If so, how should Parks Canada determine the appropriate consultation scope for a project?*

### Consideration: Digital Application Permitting Software

Many municipalities have moved to digital software for the permitting application review process in order to standardize application processes, save time and increase convenience for applicants. One such program that Leduc, Alberta uses is called CityView Portal, but there are others available. Most are self-serve, meaning applicants complete the required applications and the program tells them if they

need additional information before they are reviewed by municipal staff. It creates a standardized program that centralizes all requirements into a single streamlined process. Parks Canada could consider an e-permitting process or an online registry to collect, manage and display an inventory of permit applications and approvals.

*Q14: Would e-permitting or an online registry improve the permitting process? How?*

Consideration: Two-step Notification Program

Parks Canada could implement a common two-step notification program. First, a 30-day online, email and mail campaign could allow interested individuals to submit their feedback for review and consideration. Copies of permit applications and plans could be left with visitor service centres for local stakeholder comment. Second, an in-person consultation, which is standard municipal practice in planning, could be conducted locally.

*Q15: Would you subscribe to an email list for permit applications? Why or why not?*

## Permitting Appeal Process

Having an appeals process in place is essential to ensure fair judgement on applications, grant all interested parties the opportunity to have a say on decisions, and protect land managed in the public interest. Throughout Canada, for land use planning and permit applications, appeals boards are set up at either the local and/or provincial/territorial level. These are made up of individuals who are not typically employees of the municipality. If a permit application is denied, applicants are usually given 14 to 30 days to appeal a decision. Applicants will typically fill out an appeal form, submit it, pay a fee, and, if there are grounds for appeal, attend a hearing. Those opposed to an approved application may also appeal an approval decision, if they will be negatively affected by the project. In Ontario, only those who made an oral or written submission within a timeframe are allowed to appeal.

Consideration: Independent Review Officer for Appeals

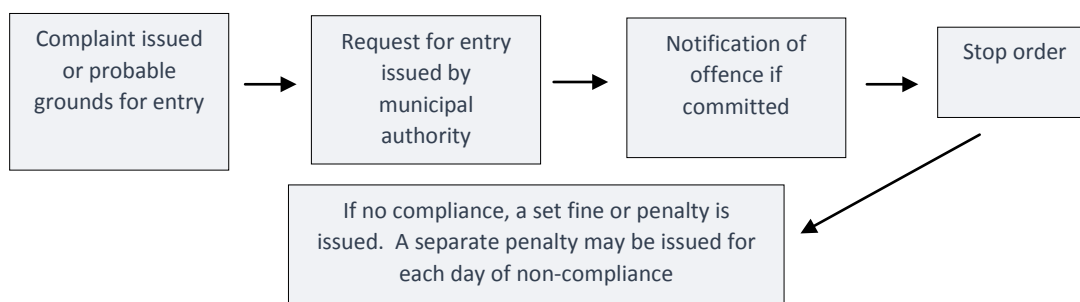
Parks Canada does not currently have a uniform appeal process in its regulations. Any process would have to ensure that it supports its mandate and national scope. Having an internal review with the authority to overturn decisions related to development permit applications can facilitate a more transparent process. Normally, federal departments and agencies that have certain inspection authorities have some type of internal independent review officer instead of relying on the Federal Court to resolve disputes, which can be lengthy and costly for all parties involved.

In the Northwest Territories, section 45 in the *Territorial Land Use Regulations*, under the *Territorial Lands Act*, states that an applicant for a permit may appeal an engineer or inspector's decision to the federal Minister of Indigenous and Northern Affairs. The Minister may appoint a senior officer, other than the individual giving the initial decision, to conduct a review and issue a new decision on any appeal. New regulations could set out a similar review process.

*Q16: What, if any, sort of appeal mechanism should be incorporated into an appeal process for permitting decisions by Parks Canada?*

## Enforcement and Inspection

To ensure compliance with new regulations, it is essential to have a robust inspection and enforcement process in place. Municipalities can authorize fines, penalties and/or stop orders for contraventions to the provisions of the corresponding bylaws, in order to ensure safe practices are being followed during the course of construction. Parks Canada also does this. Furthermore, some municipalities, such as the Resort Municipality of Whistler, BC, have property standards that must be supported. Whistler has specific design guidelines for Whistler Village that guide project design in this unique area. Parks Canada has property standards and design guidelines in townsites. After reviewing the municipal case studies, the most typical enforcement process includes the following:



Moreover, for those who continue to contravene the bylaw after an initial fine or penalty is imposed, some municipalities use a multiplier that is applied to the initial fine and increases until the offence is fixed or the fine paid. Others issue an additional fixed amount for each day the offence continues.

*Q17: How should Parks Canada issue fines and enforce compliance?*

## Assignment and/or Replacement of Leases and Licenses: Inspection and Compliance

Occupancy of Parks Canada lands is permitted by lease or license. While the terms vary, some existing leases are up to 42 years. Upon expiration of an agreement, or assignment of a leasehold interest, Parks Canada can require compliance with the terms and conditions of the lease and any development and building permits issued before the transaction is finalized. Payment defaults must be remedied or a deposit paid for the work needed to bring the property into compliance before Parks Canada will grant its consent to the assignment or issue a replacement lease.

*Q18: Would a lease inspection process provide an adequate compliance check? Why or why not?*

## Integrating Regulations with Planning Related Processes

### National Park Zoning and Land Use Classifications

Parks Canada's zoning system is set out through the management planning process for each national park, as required in the *Canada National Parks Act*. These zones have five categories: special preservation (Zone I), wilderness (Zone II), national environment (Zone III), outdoor recreation (Zone IV),

and park services (Zone V). The *Canada National Marine Conservation Act* also requires similar zoning. The suitability of these areas for visitor activities is a consideration in zoning decisions. In the context of a national planning permit process, especially within townsites, there is a further need to classify land use more precisely within some of these zones. Typically, at the municipal level, a zoning bylaw would provide further precision than what is offered in legislation to specify compatible land uses (e.g., residential, commercial, and institutional) and specifications (e.g., setbacks, building height, and density) for projects within these zones.

Currently at Parks Canada many community plans, as well as land use directives and policies, establish specific requirements for land uses based on each park community. Community plans are developed with extensive public input, and are reviewed and updated as needed. These requirements, whether in policies or community plans, work together with the planning permit process.

Future updates to community plans and policies will eventually take into consideration any changes to the planning permit process. A national set of land use classifications (or zoning districts) providing standardized requirements could be developed, such as setbacks and height restrictions, for various visitor and recreational service areas, such as cottage and cabin areas. These could apply to all common zoning districts under Parks Canada management. Community plans in townsites, as well as other applicable Parks Canada policies, could then be updated accordingly.

The ability to update zoning for specific land uses to conform to local requirements is a consideration in determining whether a standardized system could be developed and whether they should be written into regulation, community plans or internal policies.

*Q19: Would standardized land use classifications be preferred to area-specific zoning? Why or why not?*

## Management Plans, Community Plans, Policies and Guidelines

Management plans are required for all national parks, national marine conservation areas, heritage canals and waterways, and some national historic sites. Community Plans are detailed guidelines for planning growth within townsite communities. New regulations would reinforce existing management and community plans by acting as a further measure to ensure implementation of goals and strategies set out within them. They could also do the same for policies and directives concerning heritage railways and lighthouses. The new framework would not encourage nor restrict further development, rather, it would provide a clear decision-making process system to better manage permit applications.

*Q20: What opportunities are there for integration of management planning, community planning, land use policies and the planning permit process?*

## Environmental Impact Assessments

Proposed projects on lands managed by Parks Canada (such as a national historic site or canal, a national park, or a national marine conservation area) may have to undergo an environmental review in order to enable Parks Canada to identify, evaluate and mitigate any potential adverse environmental effects.

These assessments are important for Parks Canada because we want to:

- Systematically, efficiently and pro-actively evaluate projects to ensure they are as well-designed as possible to avoid or reduce adverse environmental effects,
- Achieve Parks Canada’s mandate to protect and present nationally significant examples of Canada’s natural and cultural heritage, and foster public understanding, appreciation and enjoyment, and
- Ensure ecological integrity is maintained or restored.

The impact assessment process is complementary to the proposed planning permit process. The results of an assessment could determine if a proposed project receives a permit. It could also determine the mitigation measures required as a condition of a permit. The process and requirements will depend on the location and scale of the proposed project. Under applicable impact assessment legislation, Parks Canada has the flexibility to use methods of assessment appropriate to the level of the risk of the proposed project, ensuring the environment is protected in the most efficient and effective manner. The larger the scale or risk of a project, the greater the requirements for public notification on the impact assessment, consultation with Indigenous groups, consultation with the public, and analysis and documentation. For smaller routine projects, a standard best management practice that must be adhered to may be all that is needed to minimize impacts on the natural environment and on cultural resources. A development permit classification process and public permit registry, as discussed earlier, could work together with the environmental assessment process to provide the status and opportunities for public consultation.

For more information on how Parks Canada implements this legislation, see the [Guide to the Parks Canada Environmental Impact Analysis Process](#).

*Q21: How should impact assessments be integrated into the planning permit process?*

## Fees

Permit fees can be found in the current regulations, which have not been substantially updated in over a decade. As the regulatory process advances, Parks Canada will be working on an updated fee schedule for all planning permits following established fee setting regulations. Comments are welcome on the issue of fees. However, this will be done in the context of a broader, coordinated review of service fees that the Agency is conducting as part of the Government’s commitment to bring into force the new *Service Fees Act*. A number of factors to be considered in developing a new approach to permit application fees could include consideration of fair prices and market rates, such as those charged by municipalities; charging fees at each stage of the planning permit process (i.e., development, building, occupancy, inspections, certificates of conformity, etc.), given the detailed reviews conducted for project applications. Consideration could be given to partial or full reimbursement for projects that do



not proceed to the building permit stage, depending on the detail of review already taken place by Parks Canada.

Q22: What factors should Parks Canada consider in establishing fees for planning permits?

## Signs

The *National Parks Signs Regulations* have not been updated since 1990. A planning permit process would consider at what stage permits would be granted for signs, as well as the siting, architectural design and impact, which could apply to all Parks Canada places. Early research on municipalities has shown there is a need to review sign bylaws to account for digital signs. A summary of the findings from the study concluded four key points:

- A need to regulate timing, hours of operation and brightness of digital signs
- The importance of setting minimum separation distances from signs and sensitive areas
- All electrical signs must conform to the designated electrical authority and standards
- Issuance of sign permits will help regulate sign usage and allowance

It is important to take these into consideration, as Parks Canada could add provisions for digital signage into the regulations as well. Some municipalities have their own sign permits, while others incorporate sign permitting into the development permit application.

Q23: *Should sign permits be incorporated into the development permit application or should it be a stand-alone application?*

## Building a Cottage: An Example

The following is an example of a process that may be taken if an application is submitted for building or replacing a cottage:

1. Applicant plans to build cottage and conducts preliminary research
2. Applicant contacts Parks Canada staff to request a pre-application consultation
3. Applicant prepares the necessary documents for pre-application consultation
4. Pre-application consultation is administered
5. If necessary, applicant revises information and updates/completes documents, which can include a site plan proposal, etc.
6. Applicant submits completed documents
7. Parks Canada staff reviews documents for compliance with legislation, bylaws, and plans
8. If there is compliance without contravening the regulations, plan and policies, a development permit is issued and the project concept is approved
  - a. If the application was denied outright, the applicant has an opportunity to review and appeal the decision
  - b. If there is contravention, but the project is discretionary, the development permit application is subject to a public consultation upon approval
    - i. If the application is then denied after consultation, the applicant has an opportunity to review and appeal the decision
9. Once approval is granted, the applicant prepares the information required for issuance of a building permit
10. Applicant submits requirements for building permit
11. If there is compliance with the regulations, building permit is issued
  - a. If there is a contravention, the applicant must modify plans to meet requirements
    - i. If plans are further denied, the applicant has an opportunity to review and appeal the decision
12. Once building permit is approved, applicant may start the project
13. Inspections by staff contracted by Parks Canada will take place at various stages of the construction
14. Upon full completion and compliance, occupancy could be approved after final building inspection
  - a. If there is a contravention, the applicant must modify plans to meet requirements
    - i. If plans are further denied, the applicant has an opportunity to review and appeal the decision
15. After final approval and issuance, the cottage is now legally conforming to all regulations and may now be used

## Your Views and Next Steps

Parks Canada understands the importance of meaningful public engagement and consultation. We invite all interested parties to share their thoughts on the topics discussed above. Questions, listed below, have been posed throughout the discussion paper where input is most vital. The information you provide may be published after consultations conclude, without disclosure of personal information. Any information provided is subject to Agency policies and *Access to Information Act* and *Privacy Acts*.

This work will inform proposed regulatory changes that could be presented by the spring of 2019. Please provide any input you have to [permis-permits@pc.gc.ca](mailto:permis-permits@pc.gc.ca).

1. *How do you view the role of Parks Canada in planning permitting and compliance?*
2. *What are the pros and cons of a uniform national planning permit process for heritage places administered by Parks Canada?*
3. *Is this model easy to understand? Why or why not?*
4. *What are the strengths and weaknesses of the current Parks Canada planning permit process?*
5. *Should pre-application consultation be mandatory for certain classes of projects?*
6. *Would a permit classification system be useful at Parks Canada?*
7. *Should Parks Canada explore flexibilities to provide for variances into the permit process? Why or why not?*
8. *Would a fast tracking application option be useful for Parks Canada? Why or why not?*
9. *What improvements could be made to the current Building Code enforcement and inspection process at Parks Canada?*
10. *Should an occupancy permit be a separate permit application or simply used upon completion of a final building inspection? Which option is preferable and why?*
11. *For which projects should public consultation be required?*
12. *How far in advance should neighbouring lessees and other local stakeholders be notified of discretionary development permit project proposals? By what means?*
13. *Should Parks Canada seek national and regional feedback on project proposals? If so, how should Parks Canada determine the appropriate consultation scope for a project?*
14. *Would e-permitting or an online registry improve the permitting process? How?*
15. *Would you subscribe to an email list for permit applications? Why or why not?*
16. *What, if any, sort of appeal mechanism should be incorporated into an appeal process for permitting decisions by Parks Canada?*
17. *How should Parks Canada issue fines and enforce compliance?*
18. *Would a lease inspection process provide an adequate compliance check? Why or why not?*
19. *Would standardized land use classifications be preferred to area-specific zoning? Why or why not?*
20. *What opportunities are there for integration of management planning, community planning, land use policies and the planning permit process?*
21. *How should impact assessments be integrated into the planning permit process?*
22. *What factors should Parks Canada consider in establishing fees for planning permits?*
23. *Should sign permits be incorporated into the development permit application or should it be a stand-alone application?*

## Annex I - Municipalities Examined

The following is a list of the 44 municipalities examined to help develop this discussion paper (population totals from the 2016 Statistics Canada Census). These municipalities were chosen to provide a pan-Canadian view based on various criteria (e.g. annual value of construction, annual number of permits, visitor numbers, complexity of proposed projects, etc.). Municipalities of various sizes were reviewed to provide a wide range of best practices to draw from given the unique challenges Parks Canada faces in managing a variety of heritage places.

- |                                  |   |                                      |   |
|----------------------------------|---|--------------------------------------|---|
| 1. Toronto, ON (Pop. 2,731,571)  | 12. Regina, SK (Pop. 215,106)                   | 22. Charlottetown, PEI (Pop. 36,094) | 33. Yellowknife, NWT (Pop. 19,569)        |
| 2. Montreal, QC (Pop. 1,704,694) | 13. Guelph, ON (Pop. 131,794)                   | 23. Orillia, ON (Pop. 31,166)        | 34. Niagara-on-the-Lake, ON (Pop. 17,511) |
| 3. Calgary, AB (Pop. 1,239,220)  | 14. Kingston, ON (Pop. 123,798)                 | 24. Leduc, AB (Pop. 29,993)          | 35. Canmore, AB (Pop. 13,992)             |
| 4. Ottawa, ON (Pop. 934,243)     | 15. St. John's, NL (Pop. 108,860)               | 25. North Cowichan, BC (Pop. 29,676) | 36. Whistler, BC (Pop. 11,854)            |
| 5. Edmonton, AB (Pop. 932,546)   | 16. Pickering, ON (Pop. 91,771)                 | 26. Leamington, ON (Pop. 27,595)     | 37. Mont-Tremblant, QC (Pop. 9,646)       |
| 6. Winnipeg, MB (Pop. 705,244)   | 17. Reg. Mun. of Wood Buffalo, AB (Pop. 71,589) | 27. Courtenay, BC (Pop. 25,599)      | 38. Banff, AB (Pop. 7,851)                |
| 7. Vancouver, BC (Pop. 631,486)  | 18. Comox Valley Reg. Dis., BC (Pop. 66,527)    | 28. Whitehorse, YK (Pop. 25,085)     | 39. Iqaluit, NT (Pop. 7,740)              |
| 8. Halifax, NS (Pop. 403,131)    | 19. Dollard-Des-Ormeaux, QC (Pop. 48,899)       | 29. Collingwood, ON (Pop. 21,793)    | 40. Revelstoke, BC (Pop. 7,547)           |
| 9. Markham, ON (Pop. 328,966)    | 20. Brandon, MB (Pop. 48,859)                   | 30. Wasaga Beach, ON (Pop. 20,675)   | 41. Chelsea, QC (Pop. 6,909)              |
| 10. Vaughan, ON (Pop. 306,233)   | 21. Whitchurch-Stouffville, ON (Pop. 45,837)    | 31. Corner Brook, NL (Pop. 19,806)   | 42. Carstairs, AB (Pop. 4,077)            |
| 11. Saskatoon, SK (Pop. 246,376) |   | 32. Riverview, NB (Pop. 19,667)      | 43. Saint Andrews, NB (Pop. 1,789)        |
|                                  |   |                                      | 44. Dawson City, YK (Pop. 1,375)          |