

COR/2020/XXXX

CIRCULAR TO MUNICIPALITIES & PLANNING CONSULTANTS

***URBAN AND RURAL PLANNING ACT, 2000* PUBLIC HEARINGS, REGISTRATIONS & APPEALS**

As a result of the current COVID-19 public health emergency, municipalities must adapt to all public health restrictions while still carrying on necessary activities. To that end, the requirement for public hearings under section 18 of the *Urban and Rural Planning Act, 2000* (“URPA”), still stands; however, the Province will temporarily waive the requirement to hold a physical public hearing if social distancing protocols cannot be accommodated. Municipalities are required to continue to give notice of public hearings, which must include notice that the Commissioner will only be accepting written submissions, which will be considered and reflected, where appropriate, in the Commissioner’s report to Council.

Councils should provide the public with a minimum of 30 days to provide written submissions. The public should be able to submit comments electronically, as well as in hardcopy by mail. In addition, the requirements in subsections 21(1) & (2) of URPA, which allow for the cancellation of a public hearing and for scheduling the public hearing, respectively, are temporarily waived.

With respect to the registration of plans and amendments, the Province is working to develop a way to register plans electronically. Until the COVID-19 public health emergency is over, please submit all plans and amendments electronically. Please send all submissions to landuseplanning@gov.nl.ca. We will deal with the physical copies once employees are able to re-enter the physical workspace. Please also be aware that as a result of provincial requirements to work remotely, there will be delays in releasing and registering plans.

The Department will continue to accept appeals pursuant to subsection 42(1), and subsection 42(4), the requirement that an appeal must be filed within 14 days of the applicant receiving Council’s decision, is still being applied. Section 45 also continues to apply to all appeals. Section 45 requires all activities/work associated with the property subject to the appeal must halt pending the Board issuing a decision on the appeal. However, until the current public health emergency is over, no appeals will be scheduled for hearings. Once the public health requirements for social distancing are lifted, scheduling of appeals will resume.

If you have any questions, please contact Mary Oley, Director of Local Governance and Land Use Planning, at 709-729-1953 or maryoley@gov.nl.ca.

Sincerely,



DAN MICHIESEN
Deputy Minister
Department of Municipal Affairs and Environment