

Adopting Planning Bylaws

A Guide to adopting your Official Community Plan and Zoning Bylaw



Step 1: Review Draft Official Community Plan & Zoning Bylaw

- a. **Initial council review:** Mayor, Council and Administrator review the draft OCP, Zoning Bylaw and accompanying maps for completeness and accuracy. One hard copy will be provided to the Village and an electronic copy will be provided by email or thumb/flash drive.
- The Administrator should ensure that each councilor has a hard copy or an electronic copy to review. The community Planners will incorporate any changes from this review into a public draft.
- b. **Public review:** After any edits or changes are incorporated from the initial review by mayor and council, this draft will be posted publically to the Planning for Growth North website (PFGN) (under your community name) to get public feedback on this draft in advance of the formal Public Hearing (see Step 3 on the next page):

[PFGN website: https://www.planningforgrowthnorthsk.com/incorporated-northern-municipalities.html](https://www.planningforgrowthnorthsk.com/incorporated-northern-municipalities.html)

- It is the Village's responsibility to advertise and manage the public feedback stage, including collecting all public comments.
 - Council should advertise the draft OCP and Zoning Bylaw on popular community advertising channels, whether it's the local cable scroll, Facebook page or a poster at the post office.
 - Direction on how the public can submit comments to council should also be included in any advertising, including a comment cut-off date.
 - The public can view the hard copy at the office or get it photocopied for the cost of photocopying. They can also download it from the PFGN website.
- c. **Official draft:** after the public review period has closed, council should forward all comments received from the public to the Community Planner. The Community Planner will incorporate the public feedback and any last edits from council. This copy will be used going forward for council's three bylaw readings and the official Public Hearing (see Steps 2 and 3 on the next page).

Step 2: First Reading

- a. After the public review phase described above, Administrator, Mayor and Council conduct **Reading #1 of the OCP and the Zoning Bylaw** to make sure the documents include correct information and pass resolution to give First Reading.
- b. **Two hard copies** of the **OCP** and **Zoning Bylaw** need to be present at all three readings/council meetings to record reading dates.
- c. Please use the following wording when reading the motions out loud and recording the motions in the minutes. **Ensure that the correct bylaw number and format is used in the wording** (the bylaw number below is an example only):
- **Motion:** “That Bylaw **1-2020**, known as the Northern Village of [insert community name] **Official Community Plan**, be read a first time”
 - **Motion:** “That Bylaw **2-2020**, known as the Northern Village of [insert community name] **Zoning Bylaw**, be read a first time”
- d. Make sure to insert the correct bylaw numbers in sequence and use the same standard format as past bylaws, e.g. if the number of the last bylaw passed by the Village is numbered 1-2020, the OCP Bylaw number will be 2-2020 and the Zoning Bylaw number will be 3-2020. If the Village’s bylaw format is 1/2020 instead of a dash, use that format.
- e. After the first readings are passed, the Administrator fills in **both copies** of the **OCP** and **Zoning Bylaw** where it reads:



Read a first time the _____ day of _____, 20____

- f. Community Planners will complete any edits or changes noted during Reading #1.

Step 3: Notice of Public Hearing

A Public Hearing **is required prior** to the Second Reading to get final feedback from community members on the OCP and Zoning Bylaw.



- a. **Pick a Date and location:** It's usually more convenient to hold the Public Hearing during a regular council meeting, however a Public Hearing can be held as a separate meeting on a different date.
- b. Once the Public Hearing date is published/advertised, a complete copy of the draft OCP and Zoning Bylaw (including any appendices and maps) **must** be available for viewing at the Village office during regular business hours. **If a member of the public attends the Public Hearing and states that hard copies were not available for viewing at the Village office, the Public Hearing is void and the Public Hearing process described below must start all over again.** If someone would like a hard copy for themselves, the Village can charge for the cost of printing only. Residents can also download a PDF of the bylaws on the Planning for Growth North website (under your community's name at <https://www.planningforgrowthnorthsk.com/>) or you can make the PDF copy available on your community's website.
- c. The Public Hearing must be advertised by sending a "**PUBLIC NOTICE**" announcement to the local newspaper. A Public Notice template is found at the end of this document for you to use.
- d. The Public Notice **must be** published in a newspaper for **2 consecutive weeks**.
- e. The Public Hearing **must be scheduled, at the earliest, 29 days** after the date of the publication of the first notice. For example, if the first advertisement is published January 1st, the Public Hearing can only be held on January 30th or **later**.
- f. If a newspaper is not circulated in your community, or if it is known to council or administration that a small number of residents get the newspaper, council may request the Minister to allow for alternative advertising (a sample "advertising request letter" is found at the end of this document for you to use).
- g. Clip out of the newspaper **two copies** of the "PUBLIC NOTICE". These clipping must be sent to the Community Planning Branch at a later date (see Step 6 – Mail Final Documents).
- h. Post the Public Notice at the Village Office, Post Office or other popular community space.
- i. **Personal Notifications:** The Administrator must inform land owners affected by significant changes in the Bylaws (whether it be through Zoning District changes, Discretionary Uses or other reasons) by personal

delivery, mail, or other methods. The Community Planner will forward the Administrator a list of properties which require notification and can help with drafting the letters.

- j. **Rescheduling:** If the Public Hearing date must be changed after it has been published, council must re-advertise the new Public Hearing date according to the steps in this section (i.e. the new meeting date must be at least 29 days from the publication of notification of date change).
- k. **The latest date you can schedule the Public Hearing:** There is no maximum timeframe to hold the Public Hearing itself, but the proposed bylaw will be considered defeated if it does not receive 3rd reading within 2 years after 1st reading.

Step 4: Public Hearing

- a. At the Public Hearing, council must be prepared to listen to comments from the public regarding the bylaws.
- b. **Public Hearing agenda:**
 - The majority of councilors must be in attendance (quorum) and minutes must be recorded. Copies of the Bylaws must be available for the public and councilors for reference.
 - A secretary is appointed to take minutes of the Public Hearing. A second secretary can be appointed to make notes for changes to the bylaws themselves.
 - The Public Hearing must be formally opened by a chairperson. The chairperson identifies the bylaws and provides guidelines for speaking at the Public Hearing (e.g. limiting time that people get to speak, reminding those in attendance that discussion is limited to the Bylaws only, etc...).
 - After opening remarks from the chair, the chair calls for comments from attendees, giving everyone a chance to be heard. All comments from attendees are recorded in the minutes.
 - When no additional comments or concerns are presented, the chairperson adjourns the Public Hearing and reconvenes the regular council meeting.
- c. **How to run a Public Hearing:** flip to the last section of this document for details on how to run a Public Hearing.



- d. **Bylaw changes resulting from the Public Hearing:** if council decides to alter the bylaws based on feedback from the Public Hearing, the Administrator will inform the Community Planners of the necessary changes.
- If significant changes to the bylaws are made, the OCP adoption process must start again at Step 3 – Public Notice.
 - In this case, the Public Notice and the Public Hearing will only be for comments on the amendments/changes to the bylaws.

Step 5: Second and Third Readings

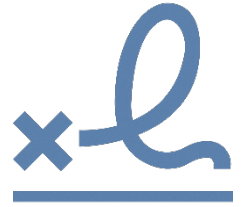
- a. **If council determines that no changes are needed to the bylaws after the Public Hearing, second and third readings usually happen right after the Public Hearing is adjourned and the regular council meeting is reconvened** (flip to the last section of this document, “How to Run a Public Hearing”, on how to word the motion to open and close the Public Hearing).
- b. The second and third reading motions **must be read out loud in the order below and recorded in the minutes using the wording below.**
- Motion: “That Bylaw **1-2020**, known as the Northern Village of [insert community name] **Official Community Plan** be read a **second time**”
 - Motion: “That Bylaw **1-2020**, known as the Northern Village of [insert community name] **Official Community Plan** be read a **third time**”
 - Motion: “That Bylaw **2-2020**, known as the Northern Village of [insert community name] **Zoning Bylaw** be read a **second time**”
 - Motion: “That Bylaw **2-2020**, known as the Northern Village of [insert community name] **Zoning Bylaw** be read a **third time**”
- c. After second and third readings are passed, the Administrator fills in **both** copies of the **OCP** and **Zoning Bylaw** where it reads:

Read a second time the _____ day of _____, 20____

Read a third time the _____ day of _____, 20____

d. After **Reading #3**, the Mayor and Administrator must date, sign and seal **both** copies of:

- the OCP and Zoning Bylaws (signature lines located below the Reading dates page)
- Each of the Zoning Bylaw maps located at the end of the Zoning Bylaw.



Step 6: Mail Final Documents

a. Mail all of the following documents to Northern Municipal Services, Ministry of Government Relations.

- The **two** signed and sealed copies of the Official Community Plan and Zoning Bylaw that were used at all three readings/meetings.
- **Two** copies of the “PUBLIC NOTICE” newspaper clipping.
- The completed **Statutory Declaration** form (see template at the end of this document – adapt wording to your community). The Statutory Declaration form must be signed by a Commissioner for Oaths after the Administrator has signed it. Do not send a photocopy of this form; it must be the original signed form. You can keep a photocopy for your records if you wish.
- **One Certified True copy of the minutes** from the Public Hearing (the Administrator has authority to certify/sign the minutes). Flip to the last section in this document for more details on what to include in the Public Hearing minutes.
- **One Certified True copy of the minutes** from the council meetings where Readings 1, 2 and 3 took place (the Administrator has authority to certify/sign the minutes).
 - **How do I certify copies of the minutes?** The Administrator can certify the minutes. Write the following on the copy of the minutes (or use a stamp if you have one) along with your name printed, signed, and dated underneath this statement, as well as your position (Village Administrator).

“This photocopy is a true copy of the original document which has not been altered in any way”.



- **One copy of all written submissions** regarding the Official Community Plan and the Zoning Bylaw (if any).

Mailing address:
 Planning for Growth North, c/o Dee Johns
 PO Box 113
 Northern Municipal Services,
 Ministry of Government Relations
 La Ronge, SK S0J 1L0

- b. On behalf of your community, the Community Planners will forward the submission package on to the Community Planning Branch for final approval by the Minister.
- c. Once approved, a signed official copy of the OCP and Zoning Bylaw will be sent back to the Village for inclusion in the Village’s official records – do not lose or damage these copies!
- d. The Administrator is responsible for **recording all OCP and Zoning bylaw amendments** in these copies. A “Bylaw Amendment Summary” table is included near the beginning of the bylaws for this purpose.

Bylaw Amendment Summary

Bylaw No.	Description	Date Adopted	Certified Copy Sent (date)

STEP 7: THE BYLAWS ARE APPROVED – NOW WHAT?

- a. Keep one copy of the OCP and Zoning Bylaw within the Village Office for public viewing.
- b. Appoint members to a **Development Appeals Board**. [Click here](#) to download the Development Appeals Board Guide. Northern Municipal Services can assist you with this task.
- c. Each Council member to receive one copy of the bylaws. This ensures that each council member is informed on land use policy and tools and has quick access to the bylaws when making important land use decisions.



HOW TO RUN A PUBLIC HEARING

1. **How to open the Public Hearing:** at the appropriate point in the regular council meeting agenda, the following motion is made and recorded in the regular council meeting minutes:

Motion to recess the regular council meeting and open the Public Hearing.



Copies for review: The OCP and Zoning Bylaw must be available for view at the Public Hearing.

Quorum: the majority of Councillors must be in attendance (quorum).

Minutes: a secretary/the Administrator is appointed to take minutes

Opening remarks: The Public Hearing is formally opened by the Chairperson/Mayor. If no members of the public are present for the Public Hearing, council still needs to have the Public Hearing open for a minimum of 15 minutes. The Public Hearing can run as long as council wants. The chairperson:

- Welcomes everyone
- Identifies the bylaws
- Provides guidelines for speaking at the Public Hearing (e.g. limiting time that people get to speak, reminding those in attendance that discussion is limited to the Bylaws only, turn off cell phones, etc...).
- The Chair will also note any written comments received on the bylaws.

When to adjourn the Public Hearing: If the Mayor and council are satisfied that all comments have been heard, the chairperson closes the meeting and then resumes the regular council meeting. The following motion is made and recorded in the Public Hearing minutes:

Motion to adjourn the Public Hearing and reconvene the regular council meeting.

If council feels that an adjournment is necessary to continue to receive comments, the date of reconvening the Public Hearing should be announced prior to the adjournment. The Public Hearing should be reconvened within 1 or 2 weeks, when practical. Advertising to the public when the Public Hearing will reconvene should be done by whatever means appropriate.

Sample opening remarks: Below is an example of opening remarks from the Chairperson:

“Good evening, I, (insert name and role) will bring this Public Hearing regarding the adoption of the Official Community Plan and Zoning Bylaw to order. [insert any other local welcoming remarks].

It is expected that those in attendance have reviewed the OCP and Zoning Bylaw, if not, there is a copy for review available. We will begin by saying a few words on the importance of having an OCP and Zoning Bylaw [or any key components that council would like to highlight], after which, we will open the floor for questions, concerns, or comments. Those with the floor will be limited to [x number of minutes] for their comments and comments must focus on the Bylaws only. All contributions will be recorded in the minutes and reviewed by Council and the Community Planning Branch during the approval process.”

WHAT TO INCLUDE IN THE PUBLIC HEARING MINUTES

1. Purpose of the Public Hearing.
2. The time when the Public Hearing was opened.
3. The motion to adjourn the Public Hearing and the time it was adjourned.
4. The names of Councillors and staff in attendance and note any regrets from council members.
5. Note that copies of the OCP and ZB were provided for viewing.
6. Note that the Chair made opening remarks.
7. Note any requests to speak and record their name and affiliation (i.e. representing a business or just themselves, etc.) along with a brief description of their comments. E.g.:



Jane Doe, community member: Ms. Jane Doe spoke in support of the bylaws, noting that it's great to see an updated plan for the Village. She also expressed a small concern with set-backs for accessory buildings.

8. Note any letters or email messages submitted, along with the letter writer's name and the date of the letter. E.g.:

Letters/email messages submitting comments were provided:

- *Jackson Davidson, dated May 30, 2020*
- *Brenda and William Francis, dated June 25, 2020*
- *Justin Friesen, dated June 25, 2020*

SAMPLE PUBLIC HEARING MINUTES

**Northern Village of Air Ronge
Public Hearing held on
Tuesday, June 24th, 2014
in Council Chambers**

To amend Bylaw No. 187/2000, The Zoning Bylaw

To permit construction of post-secondary educational institutions in the C – Commercial District

Call to Order: Mayor Gordon Stomp called the meeting to order at 7:00 p.m.

Present: Mayor Gordon Stomp, Councillors Julie Baschuk, Corey Hardcastle, Terry DesRoches, Dave Smallwood Advisor Randy Braaten and Administrator Charmayne Szatkowski

Delegations: None

Adjournment: Mayor Gordon Stomp adjourned the meeting at 7:15 p.m.

Mayor

Administrator

The Northern Village of Air Ronge

MINUTES of a PUBLIC HEARING held November 6th, 2013 at 7:00 P.M. in Council Chambers to discuss Bylaw No. 276/2013 a bylaw to amend bylaw No. 187/2000, The Zoning Bylaw:

PRESENT: Councillors: Terry DesRoches, Corey Hardcastle, Julie Baschuk and Dave Smallwood with Mayor Gordon Stomp presiding with Advisor Randy Braaten and Administrator Charmayne Szatkowski.

DELEGATIONS: Rob McDougald – 124 Anson St.

His concerns about council passing this bylaw:

- Appearance is better than regular garages.
- More economical than regular garages.
- Lower maintenance costs.
- Has an existing Quonset style which is grandfathered.
- Asked council to consider not passing this bylaw.

ADJOURN:

The meeting was adjourned at 7:10 p.m.

Mayor

Administrator

PUBLIC NOTICE TEMPLATE

PUBLIC NOTICE
of Intent to Adopt an
OFFICIAL COMMUNITY PLAN and ZONING BYLAW

Notice

The Council of the Northern Village of [insert community name here] hereby gives notice of its intention to adopt an Official Community Plan and Zoning Bylaw pursuant to *The Planning and Development Act, 2007*.

Reason

The **Official Community Plan** (OCP) will help direct and manage growth and development in the Northern Village of [insert community name here] for 15-20 years. This document defines, directs, evaluates, and guides the Council in making development and land-use decisions. The objectives and policies address the future requirements and directions for growth of residential, commercial, industrial, recreational, and municipal land-uses.

The **Zoning Bylaw** is a regulatory document that implements the policies contained in the OCP. This document will divide the Northern Village of [insert community name here] into nine zoning districts based on existing and intended future land-uses. The Zoning Bylaw contains regulations and standards including the size and location of lots and buildings, off-street parking, vehicle storage, fencing and landscaping. Each district will contain regulations for the uses within that district, along with general regulations that apply to development in all districts.

Affected Land

The proposed OCP and Zoning Bylaw encompass all properties within the municipality of the Northern Village of [insert community name here].

Public Inspection

The document and maps of the OCP and Zoning Bylaw may be viewed at the Northern Village of [insert community name here] located at [insert village office street address here]. These documents may be examined by any person without payment of any fee between the hours of 8:00 am – 5:00 pm, Monday through Friday, excluding holidays, up to and including [insert date of public hearing].

Copies of the documents may be obtained from the Administrator at a cost of \$25.00. Any questions about these documents can be directed to the Northern Village Office.

Public Hearing

The Council will hear all submissions respecting the proposed OCP and Zoning Bylaw on:

[insert date that is at least 28 days from newspaper publication] at x:xx pm [time] in Council Chambers

Council will hear all persons who are present at the meeting and wish to speak on this matter. They will also consider written comments received at the hearing or delivered to the undersigned before the hearing.

Issued at the Northern Village of La Loche
this 11th day of July, 2020.

[insert Administrator name], Clerk, Northern Village of [insert community name here]

STATUTORY DECLARATION

Statutory Declaration

CANADA

Province of Saskatchewan

This is a declaration that under *The Planning and Development Act, 2007*, and the executive decision made by residents, Mayor and Council of the Northern Village of La Loche that Bylaw No. ____ for the Official Community Plan, and Bylaw No. ____ for the Zoning Bylaw be adopted.

I, [insert name here], am the Administrator of the Northern Village of [insert community name here] in the Province of Saskatchewan, do solemnly declare:

1. That I am [insert name here], Administrator, for the Northern Village of [insert community name here] and as such have personal knowledge of the matter herein.
2. That attached hereto is Exhibit "A" that are two copies of Bylaw No. ____ known as the Official Community Plan passed by the Northern Village of [insert community name here] Council at an open meeting held on (insert meeting date) where at least the majority of Council was present.
3. That attached hereto is Exhibit "B" that are two copies of Bylaw No. ____ known as the Zoning Bylaw passed by the Northern Village of La Loche. Council at an open meeting held on (insert meeting date) where at least the majority of Council was present.
4. That attached hereto is Exhibit "C" that are two copies of the PUBLIC NOTICE printed in the local newspaper that informed the public of the proposed bylaws for the Northern Village of [insert community name here] that was circulated for two successive weeks of (insert week one date) and (insert week two date).
5. A copy of the notice was sent to each individual landowner (by personal delivery, mail, or other) affected by changes adopted by Council.
6. That a public hearing was held on (insert Public Hearing date) for Council to hear and consider alternative perspectives regarding the Official Community Plan and Zoning Bylaw.
7. That attached hereto is Exhibit "D" that are the minutes from the Public Hearing held on (insert Public Hearing date).
8. Attached hereto is Exhibit "E" that are all comments and/or written submissions presented to Council regarding the Official Community Plan and Zoning Bylaws.

I make this solemn declaration believing it to be of equal weight as an oath regarding *The Canada Evidence Act*.

Declared before me at the Northern Village of [insert community name here]
in the Province of Saskatchewan
this ____ day of _____, 20____

Signature

Signature

Administrator

A Commissioner for Oaths in and for the Province of
Saskatchewan
My Commission expires on: _____

ALTERNATIVE ADVERTISING REQUEST LETTER TEMPLATE

January 5, 2020

Director
Community Planning Branch
122 3rd Avenue N
Saskatoon, SK S7K 2H6

Dear Mr./Ms. [insert Director name here]:

The [insert community name] is preparing to hold a public hearing regarding the adoption of their Official Community Plan and Zoning Bylaw. However, the (insert community name) does not reach an appropriate number of the members of the community. As such, advertising in a regional newspaper is not the best way to meet the public notification requirements of *The Planning and Development Act, 2007*. We are requesting that the Minister approve alternative methods, under Section 207(3)(b) of the Act, for the following advertising process:

- Two posts (with the first one four clear weeks ahead of the meeting, and the second the following week) posted on the [insert social media or other online website that reaches a large portion of the community];
- An advertisement posted in the Post Office, four clear weeks prior to the meeting; and
- An advertisement posted in the Village Office, four clear weeks prior to the meeting.

Please advise whether these alternative advertising methods are adequate for the adoption of the Official Community Plan and Zoning Bylaw for the (insert community name).

Sincerely,

(Administrator's name)

Administrator, (insert community name)

cc: Dee Johns, Ministry of Government Relations

Northern Planning and Sustainability Unit

Northern Municipal Services Branch, Ministry of Government Relations

Box 113 LA RONGE SK S0J 1L0

1-800-663-1555

Planningforgrowthnorthsk.com