

National Planning Permit Process

Background

Canada's national parks and protected areas belong to all Canadians. Parks Canada manages and protects one of the finest and most extensive systems of protected natural and cultural heritage areas in the world. In very limited areas, controlled development is permitted according to strict guidelines in order to enhance recreational and visitor services.

Parks Canada is undertaking a review of its regulations and policies related to planning permits, some dating back to the 1960s. This review responds to public feedback raised during the 2017 Minister's Round Table. The current construction and renovation permitting process is divided among several statutes, regulations, and field unit specific policies. Parks Canada processes for permitting for construction and renovation need to be modernized to reflect current national codes (e.g., National Building, Plumbing and Fire Codes) and to be consistent with municipal and provincial/territorial approaches.

Strict development limits are in place to ensure the protection of ecological and commemorative integrity in Parks Canada places. A modernized planning permit process will ensure rigorous and transparent assessment of construction or renovation project applications.

Parks Canada is seeking public input on how best to establish a single, streamlined framework for permitting that provides a consistent, transparent and predictable review process of applications for construction and renovation projects at Parks Canada places. Consultations will be conducted based on the following broad questions:

- What principles should be followed when evaluating planning permit applications?
- How can Parks Canada better help applicants through the planning permit process?
- What are the barriers to applying for planning permits from Parks Canada?
- What existing best practices in permitting should be implemented in the Parks Canada context?

Parks Canada is committed to working with commercial operators and those residents and cottage owners who form part of the community of partners at Parks Canada places.

Consultations will take place from summer to fall of 2018, within national park townsites and online through the Consulting with Canadians website:

<http://www1.canada.ca/consultingcanadians>.

Q & A

1. Why is Parks Canada undertaking this review?

Parks Canada is undertaking a review of its building, cottage, and sign regulations. Parks Canada regulations concerning permitting for construction and renovation need to be updated to reflect current national codes (e.g., National Building, Plumbing, and Fire Codes) and to be consistent with municipal and provincial/territorial approaches.

Parks Canada is undertaking this review to ensure that its regulations and policies reflect modern planning principles and that projects receive the highest standard of scrutiny throughout the planning permit process. The commitment to review Parks Canada's current regulations related to planning permits is identified in the Agency's [Forward Regulatory Plan](#). In [Let's Talk Parks, Canada!](#) Minister McKenna committed to undertake a review of development and land use management decision-making tools to ensure a consistent and transparent process for development decisions at Parks Canada places. By undertaking these consultations, the Agency is taking its first step towards meeting these commitments.

2. What is the goal of the public consultations?

Parks Canada is seeking public input on establishing a modern and streamlined framework for planning permits that provides a consistent, transparent, predictable, and rigorous review process for permit applications in Parks Canada managed places. This process will result in new regulations, tentatively titled "Land Use Management Regulations", as well as updated policies and operating procedures to assist with compliance.

3. What does Parks Canada hope to achieve?

Parks Canada is seeking public input on how best to establish a single, modern, streamlined framework for permitting that provides a consistent, transparent and predictable review process of applications for construction and renovation projects. The new permit process will continue to reflect the principle of ecological integrity as a first priority in decision-making, as set out in the Canada National Parks Act.

Parks Canada is consulting with Indigenous groups, stakeholders and the public to understand and identify key issues and improvements to be made to the current permit application processes. Public input will help to inform the creation of a new national planning permit process to ensure the continued protection and presentation of Parks Canada places.

New regulations will be drafted to set out permitting requirements and steps in the review of permit applications. Supporting land use policies (i.e.: architectural guidelines, local zoning, setbacks, etc.) will be revised as needed, once updated regulations have been established.

4. Will this encourage more development in protected areas?

New regulations and policies will ensure a consistent Agency decision-making process for planning permit applications. It will not change existing commercial caps, townsite boundaries, or amount of land currently zoned for development, etc. – those are long-term planning decisions made through legislation, management plans, community plans, site guidelines, and related documents.

This updated process will provide clear decision-making on an application for redevelopment of particular lots that are already zoned for commercial, private accommodation or visitor services purposes through existing management and systems plans. It will not be possible to seek a permit for an area not already identified for these purposes.

5. What is included in this review?

Authorities in the following regulations under the *Canada National Parks Act* are being reviewed: *National Parks Building Regulations* (1968), *National Parks of Canada Cottages Regulations* (1979), *National Parks Signs Regulations* (1956), and *Town of Jasper Zoning Regulations* (1968).

These will be replaced with a modern, planning permit process in a single regulation supported by updated policies and operating procedures. Depending on public feedback, amendments may be needed to other existing regulations, and possibly legislation, to coordinate new processes and ensure consistent and effective application and implementation across Parks Canada places. Consideration is also being given as to whether this consolidated process would also be extended to all other Parks Canada protected areas; for example, national marine conservation areas and historic canals.

6. Will this National Planning Permit Process affect current projects?

Draft regulations are expected to be completed by spring of 2019 and considered for pre-publication in the *Canada Gazette*. A public comment period will follow and Parks Canada will consider all comments received before submitting the proposed regulations for final publication in the *Canada Gazette*. Once the regulations come into force, any new request for a planning permit would need to comply with the new process.

7. Who is being consulted?

Parks Canada would like to hear from individuals and stakeholder groups with an interest in how planning permit decisions are made. This includes, but is not limited to: commercial and residential leaseholders; business operators; Indigenous groups; parks community residents; visitors; property owners near Parks Canada places, such as along historic canals and waterways; industry professionals; and interest groups.

8. To what types of projects could the regulations apply?

The current *National Parks Building Regulations* apply to all building and construction projects within a national park. The scope of the new regulations would be the same – they would apply to all permit applications for construction, renovation, or redevelopment on lands already identified in management and system plans for limited development for recreational or visitor services. Consideration will be given to whether to apply the new regulations to all Parks Canada places to ensure consistency, transparency and predictability across all protected areas administered by the Agency. Projects requiring a permit could include building a dock, renovating a cottage, restoration of commercial accommodations, installing a septic system, or improvement to existing infrastructure.

9. What types of permits are currently granted by Parks Canada?

Through policy and regulations, the Agency requires planning permits for construction and renovation projects similar to that of a municipality, including development permits, building permits, occupancy permits, sign permits, electrical permits, plumbing permits, gas installation permits, as well as for other projects such as construction of temporary access roads, water supply, or landscaping, etc. The results of this review will provide a transparent, predictable and

consistent process for stakeholders and Parks Canada when seeking to plan and execute a project that requires any type of planning permit.

10. When will a draft of the new regulations be ready?

Draft regulations are expected to be pre-published in the Canada Gazette by spring 2019. There will be an opportunity for the public to provide further comments on the draft regulations at that time.

11. How will this review affect the terms and conditions of existing leases or licenses?

Under this review, Parks Canada is only considering changes to how it makes decisions related to issuing planning permits to ensure that the Agency's processes are compatible with municipal best practices. Changes to the terms of existing leases and licenses are not being considered through this process.