

# Municipal land use planning and development



## Things to know

- In Canada, land use planning is governed by provincial legislation (such as Ontario's *Planning Act*).
- Municipal councils adopt land use plans and enact zoning by-laws to regulate land use planning and development within their jurisdiction.
- Municipalities are responsible for preparing and implementing planning instruments such as:
  - Official plans and official plan amendments setting out policies that will guide land use planning and development;
  - Zoning by-laws and zoning by-law amendments to implement official plan policies and to restrict and control the use of land and buildings;
  - Subdivision plans and land severances;
  - Site plan approvals;
  - Building and demolition permits.
- Applications for planning and development approvals are made to municipalities. The specific planning approvals required will depend on the nature of the proposed development.
- Prior to an application being considered by municipal council, most municipalities will require a planning review by municipal planning and other professional staff. A public meeting is also required at which time other community stakeholders can comment on planning applications and proposals.
- Although there is deference to the planning decisions of municipal councils, in most jurisdictions there are limited appeal rights of municipal planning decisions to provincial planning tribunals.

### USEFUL RESOURCES

#### Provincial ministries for municipal affairs

- [Ontario Ministry of Municipal Affairs and Housing](#)
- [BC Ministry of Municipal Affairs & Housing](#)
- [Alberta Municipal Affairs](#)
- [Manitoba Municipal Relations](#)
- [Affaires municipales et Habitation – Québec](#)
- [Municipal planning – Nova Scotia](#)
- [Land use planning – Newfoundland and Labrador](#)
- [Municipal land use planning – PEI](#)
- [Guidelines for the Delivery of Planning Services – New Brunswick](#)
- [Community Planning, Land Use, and Development – Saskatchewan](#)

## Things to do

- Identify the planning policies and zoning that apply to the particular parcel of land in the municipality in which you have an interest. Many municipalities post their official plan and zoning by-laws on-line.
- Depending on the nature and complexity of your proposed development or development application, it is prudent to engage a qualified land use planner who can give you an independent opinion regarding the planning merits of your development application or proposal.
- Applications for the required planning approvals will need to be made to the municipality in which the lands are located. Most municipalities will require planning application fees as well as documentation in support of the planning applications. Depending on the nature and scope of the planning application, it may need to be supported by: a planning justification report; engineering and servicing reports; traffic studies; environmental reports; development and landscape plans and other supporting documentation, and the appropriate experts may need to be retained.
- It is usually prudent to arrange a preliminary meeting with municipal representatives such as the local municipal councilor and coordinating planner in order to explain the proposed development application and to identify issues that will require review or resolution.

### USEFUL RESOURCES

#### osler.com

- [Ontario planning process undergoes significant changes: Bill 139 receives Royal Assent](#)
- [Ontario government proposes significant overhaul to municipal planning approval and appeal process with Bill 139](#)
- [Cross Canada land development update: Opportunities in a changing legislative landscape \(Webinar\)](#)

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