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(A)

**DEPARTMENT OF PHYSICAL PLANNING
REGULATIONS, 2011**

Arrangement of Regulations

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PLANNING AND SUBDIVISION ACT, 2010

(No. 4 of 2010)

**DEPARTMENT OF PHYSICAL PLANNING REGULATIONS,
2011**

The Minister, in exercise of the powers conferred by section 6(5) of the Planning and Subdivision Act, 2010, makes the following Regulations —

PART I

PRELIMINARY

1. Citation.

These Regulations may be cited as the Department of Physical Planning Regulations, 2011.

2. Interpretation.

In these Regulations—

“**Act**” means the Planning and Subdivision Act, 2010¹;

“**Committee**” means the Town Planning Committee appointed under section 5 of the Act;

“**Department**” means the Department of Physical Planning established under section 6 of the Act;

“**Director**” means the Director of Physical Planning appointed under section 7 of the Act.

¹No. 4 of 2010

PART II

CONSTITUTION OF THE DEPARTMENT OF PHYSICAL PLANNING

3. Department of Physical Planning.

In accordance with section 6(3) of the Act, there shall exist two divisions within the Department of Physical Planning —

- (a) a Policy Planning Division; and
- (b) a Development Review Division.

PART III

POLICY PLANNING DIVISION

4. Policy Planning Division.

The Policy Planning Division of the Department shall be comprised of —

- (a) a Land Use Plan Section; and
- (b) a Zoning Bye-law Section.

5. Land Use Plan Section.

- (1) The Land Use Plan Section shall consist of persons within the Policy Planning Division who are directly involved in —
 - (a) the review of applications for Land Use Plan Amendment; and
 - (b) the review and upkeep of the Land Use Plan.
- (2) The Land Use Plan Section shall review and produce a written report to be signed by the Director in relation to Land Use Plan Amendment applications and shall submit such report to the committee.
- (3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Land Use Plan Section shall attend the Committee hearings.

6. Zoning Bye-law Section.

- (1) The Zoning Bye-law Section shall consist of persons within the Policy Planning Division who are directly involved in —
 - (a) the review of applications for Zoning Bye-law Amendment and Minor Variance; and
 - (b) the review and upkeep of Zoning Bye-laws.

- (2) The Zoning Bye-law Section shall review and produce a written report to be signed by the Director in relation to Zoning Bye-law Amendment and Minor Variance applications and shall submit such report to the Committee.
- (3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Zoning Bye-law Section shall attend the Committee hearings.

PART IV

DEVELOPMENT REVIEW DIVISION

7. Development Review Division.

The Development Review Division of the Department shall be comprised of—

- (a) a Site Plan Control Section;
- (b) a Subdivision Section;
- (c) an Architectural Control Section; and
- (d) an Enforcement Section.

8. Site Plan Control Section.

- (1) The Site Plan Control Section shall consist of persons within the Development Review Division who are directly involved in the review of applications for Site Plan approval.
- (2) The Site Plan Control Section shall review and produce a written report to be signed by the Director in relation to Site Plan applications and shall submit such report to the Committee.
- (3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Site Plan Control Section shall attend the Committee hearings.

9. Subdivision Section.

- (1) The Subdivision Section shall consist of persons within the Development Review Division who are directly involved in the review of applications for Subdivision and Severance approval.
- (2) The Subdivision Section shall review and produce a written report to be signed by the Director in relation to Subdivision applications and shall submit such report to the Committee.

- (3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Subdivision Section shall attend the Committee hearings.

10. Architectural Control Section.

- (1) The Architectural Control Section shall consist of persons within the Development Review Division who are directly involved in the review of applications of Architectural Design either within or outside of the area defined in the *First Schedule* to the Act.
- (2) The Architectural Control Section shall review and produce a written report to be signed by the Director in relation to Architectural Design applications and shall submit such report to the Committee.
- (3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Architectural Control Section shall attend the Committee hearings.

11. Enforcement Section.

- (1) The Enforcement Section shall consist of persons within the Development Review Division who are directly involved in the review of applications for compliance with planning and related laws and Town Planning Committee decisions.
- (2) The Enforcement Section shall review and produce a written report to be signed by the Director in relation to violations, complaints or deviations in respect of approved applications and shall submit such report to the Committee.
- (3) Where the Committee is of the opinion that policy advice and planning expertise is required, a representative of the Enforcement Section shall attend the Committee hearings.

Made this 4th day of January, 2011.

Signed
EARL D. DEVEAUX
Minister responsible for the Environment