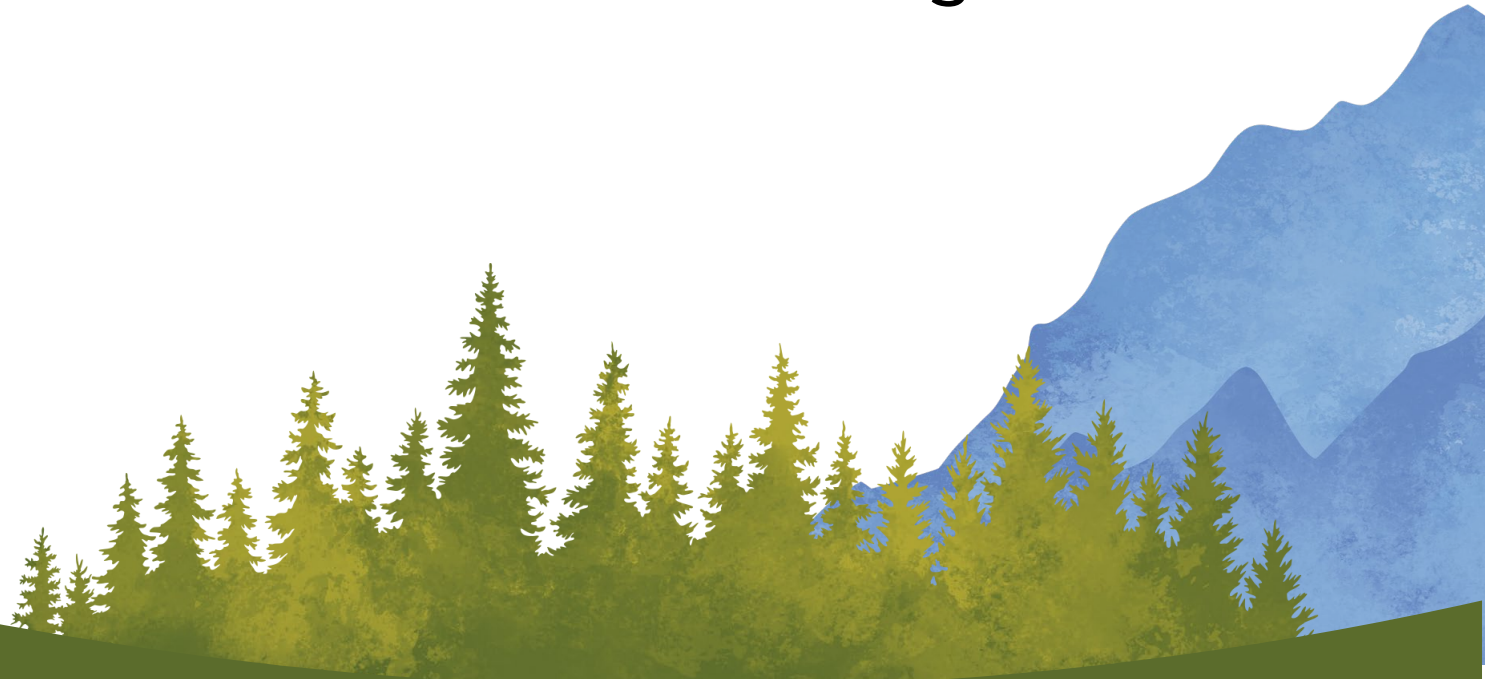


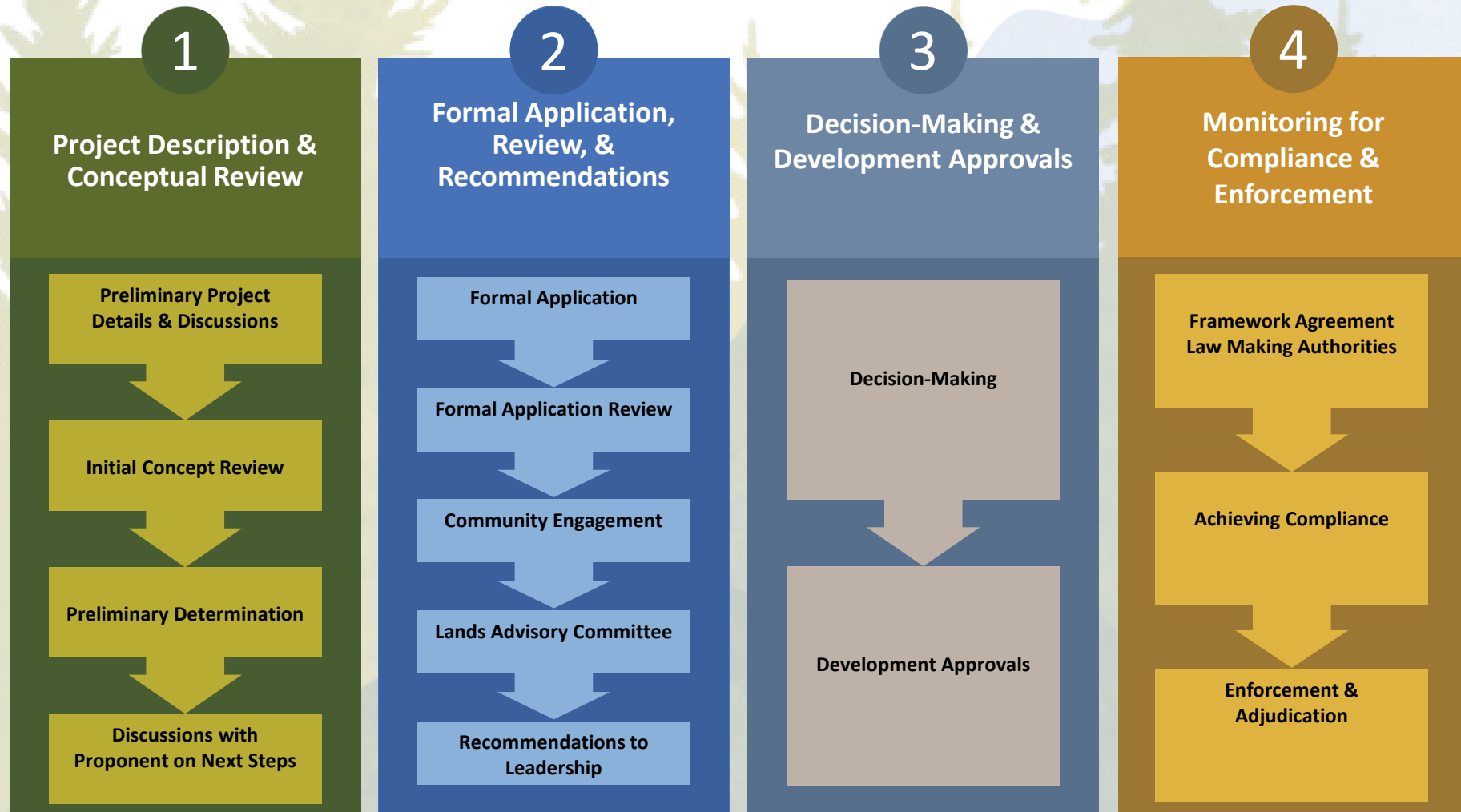


Decision Making & Development Approvals

Land Development Review Procedures: Stage 3



The Four Stages of Land Development Review Procedures



Decision-Making & Development Approvals

Decision-Making

- Staff's Role in Decision-Making
- Final Development Approval by Chief & Council
- Delegating Authority

Development Approvals

- Permits
- Additional Permits, Approvals, Certificates, & Decisions
- Granting Interests
- Example Scenarios

Development-related **Decision-Making** requires clear roles and responsibilities for the key participants in decisions.

To support informed decision-making, consider the following:

- Staff's Role in Decision-Making
- Final Development Approval by Chief & Council
- Delegating Authority

Decision-Making

Staff's Role in Decision-Making

Staff



Decision- Making

Final Development Approval lies with Chief & Council. It may be helpful to ensure that:

- Decision makers have a strong understanding of the laws and policies governing the land development process
- Risks are identified and mitigation measures are in place
- Technical studies have plain language reports included
- Additional questions are anticipated and answered in a timely way
- Next steps are clear (e.g. who grants any necessary permits etc.)

Final
Development
Approval by Chief
& Council



Decision- Making

Delegating Authority

In some cases, Chief and Council may decide that **Delegating Authority** to a specific staff position would be in their best interest.

This delegation:

- Grants specific staff positions the authority to make decisions
- Supports smooth processes and timely decisions
- Enables designated staff positions to determine whether a project can proceed and obtain the necessary permits

A First Nation's Development Law may speak to delegating authority and outline in what cases it would be suitable

Development Approvals

Overview

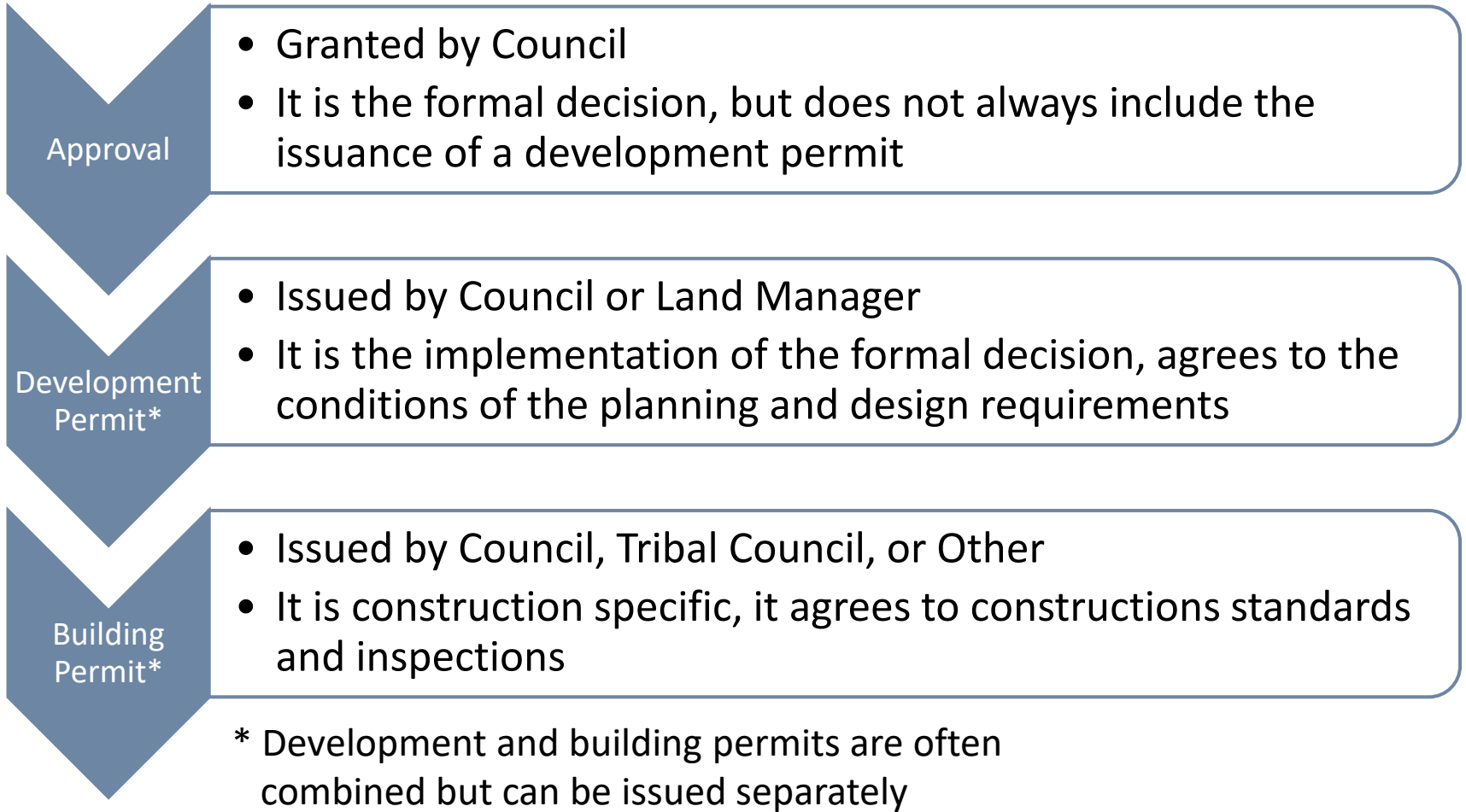
There are many components to consider during **Development Approvals**, such as:

- Permits
- Additional Permits, Approvals, Certificates, & Decisions
- Granting Interests
- Example Scenarios

Development Approvals

Permits

Moving from approval to **Permits** involves understanding who grants authorization and clarifies what the approval or permit allows and/or does not allow.



Development Approvals

Additional Permits, Approvals, Certificates, & Decisions

Examples of **Additional Permits, Approvals, Certificates, & Decisions** that may also be required for a Development Project could include, but may not be limited to:

- Soil Removal, Transport and Deposit Permit
- Business Permit/Licence
- Occupancy Permit
- Land Instrument
- Environmental Assessment Determination
- Federal, provincial, or municipal permits or approvals that may be required
- Construction Completion Certificate (Subdivision Infrastructure)
- Final Acceptance Certificate (Subdivision Infrastructure)

The order of when various permits and approvals should be obtained is based on the First Nation's unique procedures

Granting Interests can occur at any stage, but depending on the project and type of interest, it should wait until after a decision is made by Chief & Council. Land Code may require community meetings and approval prior to granting some interests.

Types of interests that can be granted during development approvals can include:

- Leases
- Subleases
- Resource Licenses
- Easements
- Others

Here are some tips for navigating some **Example Scenarios** that can happen between a formal decision and the issuing of a development permit.

Scenario	Tip
Chief & Council grants Conditional Approval	<ul style="list-style-type: none">• Prepare the resolution in advance of the meeting• General conformance clause• Defer technical studies (building plans)
Resubmissions are still insufficient	<ul style="list-style-type: none">• Check for general conformance clause (flexibility in Chief & Council's decision)• If no flexibility, restart the process

Decision-Making & Development Approvals

Decision-Making

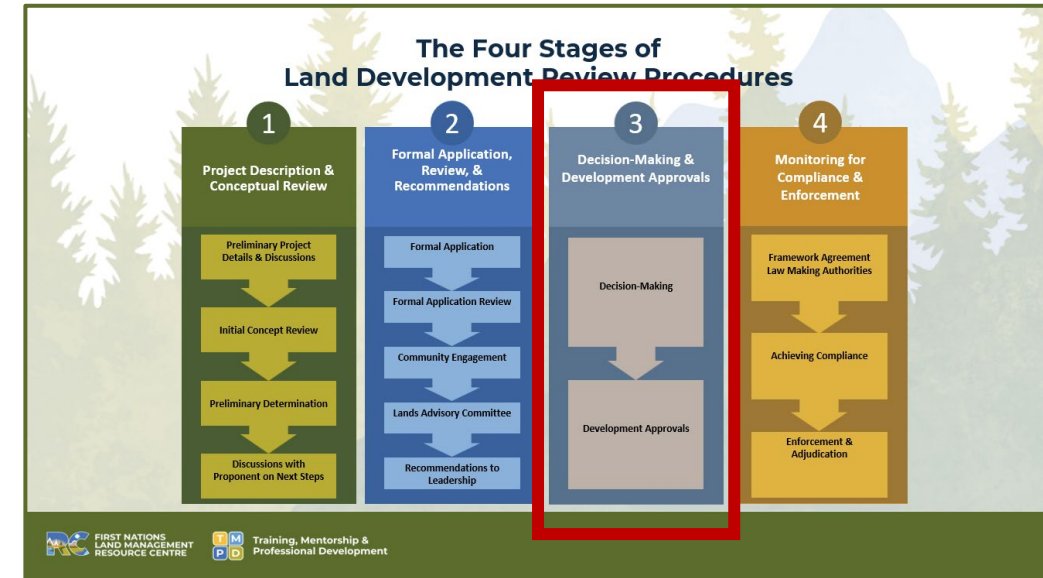
- Staff's Role in Decision-Making
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Development Approvals

- Permits
- Additional Permits, Approvals, Certificates, & Decisions
- Granting Interests
- Example Scenarios

Checklist Activity

1. You will now continue to take part in the activity to help build a Development Review Checklist.
2. Discuss the Stage 3 presentation topics at your table, guided by the prompt(s).
3. Identify key considerations based on your experience/knowledge, as well as what might be helpful to others.
4. Have one person at your table use the Slido QR code to share your table's input.



Checklist Activity

Stage 3 Prompts

As staff, what details do you make sure are included when making your recommendation to Chief & Council?

In your experience, what roadblocks have you encountered when seeking approval from Chief & Council? What was your solution?



Q & A





Lunch Break



60:00

Start Stop Reset mins:60 secs:0 type: None ▾

 Breaktime for PowerPoint by Flow Simulation Ltd.

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