

**CITY OF COLD LAKE
BYLAW 655-LU-19**

A BYLAW OF THE CITY OF COLD LAKE IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW 382-LU-10.

PURSUANT to sections 191(1), 639 and 640(2) of the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, a council must adopt a land use bylaw which divides the municipality into districts which prescribe the use(s) of land and buildings within said districts and where council also has the power to amend such land use bylaw;

WHEREAS section 683.1 of the *Municipal Government Act*, requires that a development authority must, within 20 days of receipt of an application for a development permit, determine if the application contains all of the documents and information necessary to review the application and is complete.

WHEREAS section 683.1 of the *Municipal Government Act* requires a Land Use Bylaw to specify the form and manner by which the development authority shall acknowledge that an application for a development permit is deemed to be either complete or incomplete;

WHEREAS the City of Cold Lake Land Use Bylaw 382-LU-10, requires amendment to conform with the requirements of section 683.1 of the *Municipal Government Act*;

NOW THEREFORE the Council of the City of Cold Lake in the Province of Alberta, in Council duly assembled, hereby enacts as follows:

SECTION 1 – TITLE

1. This Bylaw shall be cited as the “Bylaw to Amend Bylaw 382-LU-10, for Conformity with *Municipal Government Act* Section 683.1 Requirements.”

SECTION 2 – AMENDMENT

2. The City of Cold Lake Land Use Bylaw 382-LU-10 is hereby amended by:

2.1 Deleting Section 3.5(1):

- 3.5(1) If a development permit application does not contain all the necessary information or does not contain sufficient details to make a proper decision, the Development Authority may deem the development permit application be incomplete and;
 - (a) may return the development permit application form and all submissions to the applicant, together with the application fee, less twenty percent (20%) for administration costs; and
 - (b) the development permit application, so returned, shall be deemed not to have been submitted until all required information and details have been submitted to the Development Authority.

2.2 Inserting Section 3.5(1):

- 3.5(1) the development authority shall, within 20 days of receipt of an application for a development permit, determine if the application includes all of the documents and information necessary to review the application. If the development authority does not make a determination within this time period, or any extended time period agreed to in writing by the development authority and the applicant, the application is deemed to be complete.
 - (a) If the development authority determines that the application includes all of the documents and information necessary to review the application and is complete, the development authority shall issue notice to the applicant acknowledging that the application has been deemed to be complete;
 - (b) If the development authority determines that the application is incomplete the development authority shall issue notice to the applicant identifying any outstanding documents and information that must be submitted for the application to be deemed complete. The notice shall specify the date by which the applicant must submit the outstanding documentation to the development authority in order for the application to be deemed complete.

- (c) If the development authority determines that the documents and information submitted in accordance with 3.5(1)(b) are complete, the development authority shall issue notice to the applicant acknowledging that the application has been deemed to be complete.
- (d) If the applicant fails to submit all outstanding documentation on or before the date referred to in 3.5(1)(b), or by any alternative date mutually agreed to by the applicant and the development authority, the application shall be deemed to be refused.
- (e) If an application is deemed to be refused under 3.5(1) (d), the development authority shall notify the applicant that the application has been refused and provide the reasons for the refusal.
- (f) If, in the course of reviewing the application, the development authority determines that additional information or documentation is necessary to properly review the application, the development authority may request additional information or documentation from the applicant, notwithstanding that the development authority has issued an acknowledgement under 3.5(1)(a) or 3.5(1)(c) stating that the application is complete.
- (g) Notices under this section shall be issued to the applicant via email to the email address specified by the applicant on the development permit application form. Where an applicant does not have an email account, a notification letter will be issued via regular mail.
- (h) Where a permit has been refused, the development authority shall, in addition to notifying the applicant via email in accordance with 3.5(1) (g), issue a letter to the applicant via regular mail, stating that the application has been refused and the reasons for the refusal.

SECTION 3 – ENACTMENT

3. This Bylaw shall come into full force and effect at the beginning of the day that it is passed.

FIRST READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this __ day of ____, A.D. 2019, on motion by Councillor_____.

**CARRIED
UNANIMOUSLY**

SECOND READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this ____ day of ____, A.D. 2019 on motion by Councillor_____.

**CARRIED
UNANIMOUSLY**

THIRD AND FINAL READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta this _ day of ____, A.D. 2019, on motion by Councillor_____.

**CARRIED
UNANIMOUSLY**

Executed this _____ day of _____, 2019

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICER