



## STAFF REPORT

**Title:** Bylaw No. 655-LU-19 - Amend LUB No. 382-LU-10

**Meeting Date:** January 28, 2020

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### **Executive Summary:**

Bylaw to amend Section 3.5(1) of the Land Use Bylaw No. 382-LU-10 to address the requirements of section 683.1 of the amended Municipal Government Act with respect to determining the completeness of an application for a development permit.

### **Background:**

The recent amendments to the Municipal Government Act (MGA) obligate a development authority to, within 20 days of receipt of an application for a development permit, determine whether the application contains all of the information necessary to review the application, and notify the applicant if the application is deemed either complete or incomplete. The MGA also requires that the Land Use Bylaw (LUB) specify the form and manner of the notice to be given to the applicant.

The proposed amendments address the requirements of section 683.1 by implementing a requirement for the development authority to assess the application and notify the applicant within 20 days whether the application is deemed to be complete or incomplete. Where an application is found to be incomplete the notice will list the additional documentation that must be provided in order for the application to be deemed complete and specify a timeframe within which the information must be submitted. If the applicant provides the requested information, the application will be reviewed per normal practice. If the applicant fails to provide the requested information within the specified timeframe, the application is deemed refused in accordance with section 683.1(8). In practice, most Development Permit applications are processed, and decisions issued, well before 20 days have elapsed.

To ensure the timeliest notification, the amendment specifies that notices be issued to the applicant at the email address specified on the permit application. Where an applicant does not have an email account, notification letters will be provided via regular mail.

Bylaw No. 655-LU-19 received first reading at the December 10, 2019 Council meeting. No concerns regarding the proposed amendment were received prior to the Council report deadline. Subject to the outcome of the statutory Public Hearing, Administration recommends that Bylaw No. 655-LU-19 be given second as well as third and final reading.



**Alternatives:**

Council may consider the following alternatives:

1. Proceed to give Bylaw No. 655-LU-19 second as well as third and final reading subject to the outcome of the statutory Public Hearing.
2. Defeat second reading of Bylaw No. 655-LU-19.
3. Accept as information only.

**Recommended Action:**

Administration recommends that Council proceed to give Bylaw No. 655-LU-19, being a bylaw to amend Land Use Bylaw No. 382-LU-10 for Conformity with the Municipal Government Act Section 683.1 Requirement second, as well as third and final reading, subject to the outcome of the statutory Public Hearing.

**Budget Implications (Yes or No):**

No

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer