

DEVELOPMENT FILE CLOSURE AND EXTENSION

LAN.13

Date Policy Adopted: July 4, 2011

Council Resolution Number: RC11/379

The following policies affect Rezoning, Subdivision, Development Variance Permit, Development Permit, Temporary Use Permit and Agricultural Land Commission development applications.

13.1 General File Closure and File Extension Policies:

- All outstanding or required development application materials must be submitted by the applicant within 6 months from the date of application or within 6 months after initial consideration by Council. The file will be closed if the applicant fails to provide all outstanding or required development application materials within those time frames.
- Written notification of an impending file closure will be mailed to the applicant thirty (30) days prior to the scheduled file closure date. After thirty (30) day has passed, the applicant shall be notified, by mail, that the file is closed.
- Once a development application file has been closed, a new application and full application fees will be required prior to any further consideration of the development proposal.

13.2 Rezoning Files:

- Rezoning files will be closed 1 year following the date of 3rd reading of the zone amending bylaw. Accordingly, if the applicant fails to satisfy rezoning requirements and obtain 4th and final reading of the zone amending bylaw, the Director of Planning (or designate) may grant a one-time-only extension for a period no longer than 1 year. The request for extension must be made in writing by the applicant in association with payment of the applicable extension fee. All file extensions granted are subject to bylaw and policy amendments that may affect development application requirements and fees.

13.3 Subdivision Files:

- Subdivision files will be closed 1 year from the issue date of a "Preliminary Layout Approval" (PLA) letter. Accordingly, if the applicant fails to satisfy PLA requirements within that 1 year period, the Director of Planning (or designate) may grant a one-time extension for a period no longer than 1 year. The request for extension must be made in writing by the applicant in association with payment of the applicable extension fee. In

accordance with the *Local Government Act*, Section 943 (as amended from time to time), all subdivision applications are subject to bylaw and policy amendments that may affect development application requirements and fees. (i.e. development cost charges)

13.4 File Closure Process

- Following receipt of a letter to close a development file by the applicant or delivery of a file closure letter drafted by staff, refunds will be in accordance with the Land Use Application Procedures and Fees Bylaw, as amended from time to time.
- All file extensions fees will be in accordance with the Land Use Application Procedures and Fees Bylaw, as amended from time to time.
- If the development application has **not** been considered by Council for any readings or initial Council consideration, staff will make a note to file regarding the reasons and close the file; **or**
If the development application has received 1st, 2nd or 3rd readings or initial Council consideration, staff will forward a report to Council recommending that the readings be rescinded and the file(s) be closed.
- In order to keep Council apprised of the frequency of development application file closures, staff must provide a bi-annual report to Council which lists all applications closed (with rationale) by staff and Council.

13.5 Exemptions

Upon consideration of supporting rationale supplied by the applicant, Council may provide development file extensions at their discretion, on a 'case-by-case' basis.