**VILLAGE OF ANMORE**

**DEVELOPMENT PROCEDURES BYLAW NO. 553-2016**

A bylaw to establish procedures for processing development applications

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**WHEREAS,** section 460 of the *Local Government Act* requires municipalities to establish procedures to accept and process applications from land owners to amend the Official Community Plan or the Zoning Bylaw, and to issue related permits under part 14 of the *Local Government Act*;

**NOW THEREFORE,** the Council of the Village of Anmore, in open meeting assembled, enacts the following:

1. **CITATION**

   This bylaw may be cited for all purposes as "Anmore Development Procedures Bylaw No. 553-2016".

2. **DEFINITIONS**

   In this bylaw,

   **Applicant** means a person who is an owner of the property which is the subject of an application, or a person acting with the written consent of the owner of the property.

   **Council** means the Council of the Village of Anmore.

   **Manager** means the Manager of Development Services.

   **Village** means the Village of Anmore.

3. **DATE OF ENFORCEMENT**

This bylaw shall come into effect on the date of its final adoption.

4. **SCOPE**

This bylaw shall apply to all of the following:

(a)     An amendment to:

(i)     The Official Community Plan

(ii)    The Zoning Bylaw

(b)     Issuance of:

(i)     Development Permits

(ii)    Development Variance Permits

(iii)   Temporary Use Permits

5. **APPLICATION FEES, LEGAL FEES AND REFUND POLICY**

(a)     Refer to Anmore Fees and Charges Bylaw, as amended or superseded from time to time. *(Bylaw No. 606-2019)*

(b)     Applications for bylaw amendments, permits, and permit extensions shall be submitted in writing to the Village by the Applicant, and shall be accompanied by all information relevant to the proposed development required by the Village to conduct a thorough review and analysis of the proposed development. The Applicant must apply in the form prescribed by the Village and must provide the information required by the form.

(c)     If the Manager is not satisfied that the information is sufficient in scope or level of detail in any respect, the Manager may, within 30 business days of the receipt of the information submitted by the Applicant, require the Applicant to provide, at the Applicant's expense, further information reasonably required to comply with this section.

(d)     Every report or other document provided to the Village must contain an express grant of permission to the Village to use and reproduce the information contained in the report or other document for non-commercial purposes.

(e)     All legal fees directly associated with amendments or permits covered by the bylaw shall be borne by the Applicant.

(f)     Refunds of application fees shall be made on the following basis:

    (i)     If the application is rejected by the Council prior to any Public Hearing or Public Meeting process being authorized by Council, 50 percent of the application fee shall be refunded to the Applicant;

    (ii)    If, prior to any Public Hearing or Public Meeting process being authorized by Council, the Applicant withdraws the application within six months of submission, 50 percent of the application fee shall be refunded;

    (iii)   If an application is withdrawn prior to any significant work being commenced by the Village, an amount up to the full application fee may be refunded to the Applicant at the discretion of the Manager; or

    (iv)    If the Applicant fails, within one year, to respond to requests for further information in support of the application, the application shall be deemed void and in which case no refund of fee will be granted.

6.     **PROCESS**

(a)     An application for an amendment under section 4 shall be processed by the Manager or his/her designate, who shall submit a report to Council for consideration.

(b)     The review of application by Council and the Manager may include referrals to persons or groups for such reports or advice deemed necessary to evaluate the application.

(c)     In the event that the Manager rejects a Permit under a delegated authority, the Applicant may appeal to Council for reconsideration of the Application.

7.     **AMENDMENTS TO OFFICIAL COMMUNITY PLAN AND ZONING BYLAW**

Council shall, following receipt of a staff report with respect to an application to amend the Official Community Plan or to amend the Zoning Bylaw:

(a)     Proceed with consideration of the bylaw or bylaws as set forth in Part 14 of the *Local Government Act*;

(b)     Withhold consideration of the bylaw or bylaws pending further input from the Applicant or Village staff; or

(c)     Reject the application.

8.      **POSTING OF A SIGN**

A sign may be required to be posted at the development site for public information prior to a Public Hearing, Public Meeting or Public Information Meeting. Failure to post the sign may result in a delay in the process.

9.      **RE-APPLICATION**

Where an application under section 4 has been rejected by Council, no re-application for the same amendment shall be considered within one year from the date of Council's rejection.

10.     **EFFECT OF THIS BYLAW**

Nothing in this bylaw shall be construed as:

(a)     Preventing Council from initiating an application to amend any plan, bylaw or land use contract or issuing to itself any permit;

(b)     Affecting the referral of any plan, bylaw, amendment or permit to any Council Committee or Commission;

(c)     Preventing the Council from tabling or otherwise dealing with any application in the manner it deems appropriate; and

(d)     Compelling the Council to consider an application provided for in this bylaw.

**READ** a first time the 7th day of June, 2016

**READ** a second time the 7th day of June, 2016

**READ** a third time, as amended, the 7th day of June, 2016

**RECONSIDERED, FINALLY PASSED AND ADOPTED** this 21st day of June, 2016

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MAYOR

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MANAGER OF CORPORATE SERVICES