

- a) provide reason(s) why the Subdivision Authority has determined the application to be incomplete,
 - b) specify any outstanding documentation and information considered necessary in order to review the application, and
 - c) set out a date for which any outstanding documentation and information must be submitted.
3. If an application to subdivide is deemed refused in accordance with Section 16.3 (1).9, the Subdivision Authority must issue to the applicant a notice in writing and by regular mail within twenty (20) days of receipt of the requested information and documentation or of the date set out on the notice referred to in Section 16.13 (1).2(c). The notice must specify:
- a) that the application is refused,
 - b) the date on which the application was deemed to be refused; and
 - c) the reason(s) for the refusal.

Bylaw No. 2018-09

16.14 Issuance, Validity and Cancellation of Development Permits

1. Once an application for a Development Permit has been approved by the Development Authority, the Development Permit shall not be valid unless and until:
 - a) Any conditions of approval, except those of a continuing nature, have been fulfilled; and
 - b) no notice of appeal from such approval has been served on the Subdivision and Development Appeal Board within the time specified in this Land Use Bylaw.
2. The Development Authority shall suspend a Development Permit upon receipt of a filed notice of appeal to the Subdivision and Development Appeal Board. The Development Permit remains suspended until: :
 - a) The Chair of the Subdivision and Development Appeal Board has signed the decision of appeal and the time for filing a leave to appeal application to the Court of Appeal has passed without a leave to appeal being filed;
 - b) The Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined;
 - c) The Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination of the Alberta Court of Appeal has been finally determined; or
 - d) The appeal is otherwise resolved; and
 - e) Any conditions of approval, except those of a continuing nature, have been fulfilled.
3. The Development Authority shall not issue a temporary or otherwise time limiting Development Permit for a permanent structure.
4. A Development Permit is not considered valid if a Development Permit was approved for a use and with a condition that specifies an expiration date and that date has passed.
5. Continuation of the same or similar use beyond the expiration date must be reconsidered by the Development Authority and, subject to the provisions of the Land Use Bylaw in effect, be authorized by the Development Authority under a separate Development Permit approval.

6. Unless otherwise specified on the face of the development permit or in the conditions of development approval, if the Development authorized by a Development Permit is not commenced and diligently pursued within twelve (12) months from the effective date of the permit, such permit approval ceases and the permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.
7. Where an application for a development permit is deemed refused or cancelled by the Development Authority, or on a refusal from an appeal to the Subdivision and Development Appeal Board;
 - a) the submission of another application for a development permit for the same or similar use on the same Parcel by the same or any other applicant may not be made for a period of twelve (12) months from the date of issue of the refusal, or cancellation.
 - b) except where Council has by resolution waived the twelve (12) month waiting period.
 - c) Section 16.14.7(a) does not apply for deemed refusals under 16.3.12.
 - d) If necessary, the determination of what constitutes same or similar use shall be made by referring the matter to the Development Authority.
8. If a use to which a Building, or a portion of a Building, is put ceases for a period of six (6) months or less, the re-establishment of the same or similar use in the premises does not require a Development Permit, unless:
 - a) structural changes are made or proposed to be made; or
 - b) there is a change in the intensity of the use.
9. If a use to which a Building, or portion of a Building, is put ceases operation for more than six (6) months, the re-establishment of a use in the building requires the use to be authorized by a new Development Permit.
10. Clauses 16.14.8) and 16.14.9) do not apply to the use of Dwelling Units for residential purposes.
11. The Development Authority may cancel a development permit following its approval if:
 - a) any person undertakes development, or causes or allows any development to take place on a Parcel that is contrary to the development permit;
 - b) the application for the development permit contained a material misrepresentation;
 - c) material facts were not disclosed during the application for development permit;
 - d) the development permit was issued as a result of a material error; or
 - e) the landowner requests, by way of written notice to the Development Authority, the cancellation of the development permit.
12. Notwithstanding Section 16.14.11, the Development Authority shall not cancel a development permit that has been appealed to the Subdivision and Development Appeal Board, the Alberta Court of Appeal, the Supreme Court of Canada, or until a decision is rendered or the appeal is otherwise resolved.

16.15 Compliance Certificates

1. The registered owner, or a person with a legal or equitable interest in a Parcel, may apply to the Development Authority for a Compliance Certificate.