

Town of Portugal Cove-St. Philip's

Extension of Existing Conditional Approvals

Pursuant to the authority conferred in Section 407 of the Municipalities Act, 1999, the Town Council of Portugal Cove-St. Philip's has adopted the following policy on the 14th day of August, 2007.

1. 1.0 TITLE

1.1 This document shall be known and cited as the *Extension of Existing Conditional Approvals Policy*.

2.0 DEFINITIONS

- 2.1 "**Council**" shall mean the Town Council of Portugal Cove – St. Philip's.
- 2.2 "**Town**" shall mean the Town of Portugal Cove – St. Philip's.
- 2.3 "**Conditional Approval**" shall mean a granted approval in principle that shall require further approval of detailed plans to satisfy that the proposed development is in compliance with the current Municipal rules or regulations.

3.0 POLICY STATEMENT

3.1 The purpose of this policy is to clarify the process of extending the expiry date of an existing conditional approval.

This policy shall apply to all requests for an extension to an existing conditional approval.

In recent times, it had become increasingly common that applicants are requesting an extension to their conditional approval.

Council wishes to accommodate the situation where a conditional approval is about to expire or has expired within the last ninety (90) days and the applicant requests an extension. This policy will only apply to a limited class of conditional approvals. It will cover only those for which no Municipal rules or regulations have changed and where no changes are involved.

4.0 POLICY CLAUSES

4.1 A conditional approval is valid for such a period, not in excess of two (2) years, but may be extended for a further period not in excess of one (1) year, and shall not be extended more than once.

4.2 An application to extend may be made by any legally acceptable form of letter that includes the applicant's signature. It should include reference to the expired conditional approval letter and a specific time for extension, to a maximum of one (1) year.

4.3 The application should be sent to the Town Planner or delegate.

4.4 Applications may be made as early as three (3) months prior to expiry and as late as ninety (90) days after expiry. Applications to extend shall be submitted to the Town Planner or delegate prior to the last day referenced above in order to be considered.

4.5 A conditional extension fee in accordance with the current tax structure shall apply to cover administration costs to verify that no Municipal rules or regulations have been changed and to issue the conditional approval extension letter.

4.6 All other applicable policies of Council will still apply; in particular those requiring review by the Planning Department Committee of Council.

5.0 PENALTIES

None have been specified.

6.0 AMENDMENTS

Amendment No. 1, August 31, 2010, Motion# 07-232 (re: Section 2(a))
Amendment No. 2, August 31, 2010, Motion #2010-289 (re: Section 3)
Amendment No. 3 September 12, 2012, Motion #2012-301 (re: Section 4.5)

7.0 REPEALS

This policy rescinds all previous policies on this subject matter.

6.0 DATE EFFECTIVE

August 14th, 2007, Motion # 07-232