



Permit Timelines

2020 MGA Review

OVERVIEW

During the previous MGA Review, industry and BILD Alberta sought to create a more predictable environment for approvals. This included stricter controls over municipal approval timelines under the MGA. Specifically, BILD Alberta provided recommendations to:

- Remove the ability for municipalities to create an endless submission loop that added months to approvals.
- Provide predictability in timelines so a builder and developer know how long the process would take so they could effectively plan and schedule construction. If municipalities could not meet the timeline, the application should be deemed approved.
- Remove ability for substantial changes in approval timelines from one council to the next.
- Encourage municipalities to reduce red tape and simplify their policy environments to require less time / money for applicants to submit on and less time for them review / approve.

Unfortunately, amendments approved under the previous government provided municipalities with additional flexibility over approval timelines, including:

- No requirement for municipalities to outline what is required to submit. They can simply state application is incomplete and send it back (adding at least another 20 days to the process).
- No requirement for municipalities to meet with applicants in advance of applications to outline requirements.
- Any major centre can create whatever timeline they would like. They deem this necessary to assess “complex applications”. The complexity of applications is entirely within the control of the municipality and they have the ability and power to significantly simplify this process.
- No long-term predictability for industry as it only takes a change to a bylaw for municipalities to change timelines. This could occur when you are already part way through your application process.

The impact of these changes has not yet been fully felt but it is important to tackle the issue before it becomes a pervasive problem. Presently, BILD Alberta member companies who do work across North America indicate that some of Alberta’s major centres have processes that are some of the most time consuming and costly they encounter. This has made it difficult for them to procure investment for new projects. Builders and developers are concerned that the current legislation will only exacerbate the issue and encourage municipalities to create even more red tape and submission requirements that extend timelines and add substantial costs to projects.

Simple policy changes at the provincial level significantly reduce red tape at the local level. Undertaking our recommendations removes policy from the MGA and will help reduce significant red tape at the local level. This change streamlines and promotes consistency across the province while providing flexibility for challenging applications based on an agreement between the municipality and the applicant. Most importantly, this change will encourage municipalities to simplify their local policies and processes resulting in significant red tape reduction.

RECOMMENDATIONS

BILD Alberta supports undertaking the Option 1 outlined in the Discussion Guide, including:

1) *Repeal provisions that provide additional flexibility to set alternate timelines.*

BILD Alberta Commentary:

Removing this clause will provide industry with predictability and help reduce local red tape through encouraging efficient policy / process development. We recommend the following additional policies be added to the legislation:

1. Provide firm timelines for applications:
 - (a) 60 days for subdivision applications
 - (b) 45 days for all other applications.
2. Preserve the ability for municipalities and applicants to mutually agree to timelines extensions, through written agreement, for complex projects.
3. Applications not resolved within the legislated timeframe or subject to an extension through written agreement between the applicant and municipality be deemed approved.

2) *Review subdivision and development approvals and appeal timelines in Part 17 for consistency and efficiency across the province, which may include reducing some timelines to align with the time given for similar processes.*

BILD Alberta Commentary:

Consistency across legislation is important for every proponent working through approval processes.