

SMOKY LAKE COUNTY



Title: Application for Development Permit	Policy No: 03-01
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Legislative Reference:	Alberta Provincial Statutes Bylaw 1102-02: Land Use Bylaw
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Purpose:	To outline the procedures and requirements for Applying for a Residential, Commercial and Industrial Application for Development Permit.
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Policy Statement and Guidelines:

1. STATEMENT

- 1.1 Development Permits are an important part of the Planning & Development process as they allow County administration to review a proposal and provide a response to the applicant on the proper course of action that should be taken to allow a development to proceed.
- 1.2 Development Permits are issued by Smoky Lake County, and are required PRIOR to commencing new construction, altering or adding onto an existing structure, and when moving a new manufactured home (e.g. mobile home) onto a site.

2. DEFINITIONS

- 2.1 “Act” means the Municipal Government Act.
- 2.2 “Development” means:
 - an excavation or stockpile and the creation of either of them, or
 - a building or and addition to or replacement or repair of a building and the construction or placing of any of them in, on or under land, or
 - a change in use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - a change in the intensity of use of land or a building or an act done in relation to land or a building that results in a change in the use of the land or building.
- 2.3 “Development Authority” means the persons established by the County’s Development Authority Bylaw and appointed by Council.
- 2.4 “Development Officer” means the person established by the County’s Development Authority Bylaw and appointed by Council.
- 2.5 “Municipal Planning Commission” means the Municipal Planning Commission established by the County’s Municipal Planning Commission Bylaw and appointed by Council.

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Policy Statement and Guidelines:

2.6 “**Subdivision and Development Appeal Board**” means the Subdivision and Development Appeal Board established by the County’s Subdivision and Development Appeal Board Bylaw and appointed by Council.

3. REQUIREMENTS

3.1 Development Permits are required when (examples):

- Building a new structure;
- Adding onto a new structure;
- Building an accessory building (including sheds and garages);
- Excavation of land (including dugouts);
- Sewage disposal systems (including fields, holdings tanks); and
- Change in use of the land.

3.2 Development Permits are NOT required for:

- Routine maintenance, renovation and works of improvement that do not include structural alterations or additions.
- Construction or repair of fences, gates, walls or other means of enclosure less than 1.0 m (3.3 ft) in height in front yards and less than 1.87 m (6 ft) in side and rear yards.
- A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued. **NOTE** that a setback requirement of 3 ft from the side and rear property lines is required for all accessory buildings whether a permit is required or not.

4. PROCEDURES

- 4.1 Application Forms are available from the County Office and from the County website.
- 4.2 A Development Permit Application must be completed and submitted to the County Office, accompanied with a fee as set out in the *Application for Development Permit: (Schedule A)*.

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Policy Statement and Guidelines:	
4.3	All applications must be in compliance to provincial regulations and in accordance to the Districts defined in Bylaw 1102-02: Land Use Bylaw .
4.4	Upon review and evaluation of the Application: <ul style="list-style-type: none"> 4.4.1 Permitted Uses <ul style="list-style-type: none"> • The Development Officer will either Approve or Refuse the Application. • Advise the Applicant of the decision, in writing, <i>Notice of Decision: (Schedule B)</i>. 4.4.2 Discretionary Uses <ul style="list-style-type: none"> • The Development Officer will prepare a Report to present to the Municipal Planning Commission for a decision. 4.4.3 Upon Approval of the Application, the Application will be deemed Conditionally Approved and will be advertised in the local newspaper, notifying the public of the chance to appeal the decision of the Development Authority.
5.	APPEALS
5.1	An appeal may be made where the Development Authority <ul style="list-style-type: none"> • Issues a Permit subject to conditions, or • Refuses or fails to issue a Permit within forty (40) days of receipt of the Application.
5.2	The appeal period is 14 (fourteen) days after the Decision of the Development Authority.
5.3	An appeal shall be made by serving a written Notice of Appeal with reasons and with the Development Appeal Fee of \$50.00 (fifty dollars) , to the Secretary of the Subdivision and Development Appeal Board.
5.4	A decision made by the Subdivision and Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act.
6.	ENFORCEMENT
6.1	Where a Development Authority finds that a development or use of land or buildings is not in accordance with a Development Permit, the Development Authority made exercise the right to order compliance as outlined in Section 5 in the Land Use Bylaw.

	Date	Resolution Number
Approved	September 20, 2007	# 618-07 - Page # 8484
Amended		
Amended		



Box 310 4612 McDougall Drive
Smoky Lake, AB T0A 3C0
ph 656-3730 fx 656-3768

DEVELOPMENT PERMIT APPLICATION PACKAGE

If you have any questions, please contact Smoky Lake
County Planning Department at 1.888.656.3730 or 656.3730.

The following are required when making submitting an Application for a Residential Development Permit:

- Development Permit Application Form completed and signed
- Site Plan showing all information as indicated on attached example
- Application Fee (choose category):
 - RESIDENTIAL - \$ 50.00
 - COMMERCIAL - \$ 100.00 minimum - \$ 200.00 maximum (\$1.00 per \$1,000.00 value of development)
 - INDUSTRIAL - \$ 200.00 minimum - \$200.00 maximum (\$1.00 per \$1,000.00 value of development)

PLEASE NOTE

This Permit Application **IS NOT** for: Building, Gas, Plumbing or Electrical Work. Permits for such work **SHALL** be obtained from:

ALBERTA PERMIT PRO **www.albertapermitpro.com**
 Phone: 455-6363 or toll free at 1.800.461-8706
 Fax: 447-2373 or toll free at 1.800.292-6754

The following information is provided to assist you in completing this Application

1. Any access to, site servicing of, or construction started on the property prior to the issuance of a development permit, and completion of the expiry of the appeal period, is at the Applicant's risk.
2. An Application must be complete, signed by the Owner, tendered to the County, and the prescribed Application Fee paid before it will be accepted for processing.
3. Smoky Lake County may require: a copy of the Certificate of Title and / or encumbrances registered on the Title, a scaled site plan, floor plan and building elevations; Real Property Report showing the locations of any structures and features on the property; or any other information that the Development Officer deems necessary to review the Application.
4. The Development Officer may refuse to accept or process an Application where the information required has not been supplied or where the quality of such information is inadequate to properly evaluate the Application.
5. All Development Permits are subject to the applicable enactments and regulations.
6. Provincially regulated permits or approvals (i.e. Building, Plumbing, Gas, Electrical, Sewer, Water, highway access, or roadside development permit) that may be required are the responsibility of the Applicant.
7. You are advised to accurately locate any oil, gas, power and telephone lines on your property prior to undertaking any excavation work. **Contact Alberta One-Call at 1-800-242-3447.**

This information is collected under the authority of the Freedom of Information and Protection of Privacy Act, S. 33(c), for the purposes of issuing Development Permits. Any Development Permit issued pursuant to this Application, or any information related thereto, is not confidential information and may be released by the County. Any questions about the collection of this information may be directed to the County Administrator at (780) 656-3730.



DEVELOPMENT PERMIT APPLICATION PACKAGE

Box 310 4612 McDougall Drive
 Smoky Lake, AB T0A 3C0
 ph 656-3730 fx 656-3768

Application No. _____

Date Received _____

I / We hereby make application under the provision of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and forming part of this application.

APPLICANT INFORMATION			COMPLETE IF DIFFERENT FROM APPLICANT		
NAME OF APPLICANT			NAME OF REGISTERED LAND OWNER		
MAILING ADDRESS			MAILING ADDRESS		
POSTAL CODE	TELEPHONE (RES)	OTHER	POSTAL CODE	TELEPHONE (RES)	OTHER

LAND INFORMATION								
LEGAL DESCRIPTION								
QTR/LSD	SECTION	TOWNSHIP	RANGE	W4	OR	REGISTERED PLAN	BLOCK	LOT
SIZE OF THE PROPOSED DEVELOPMENT SITE								
LENGTH	WIDTH	<input type="checkbox"/> feet	<input type="checkbox"/> meters	TOTAL PARCEL AREA	<input type="checkbox"/> acres	<input type="checkbox"/> hectares		
LAND USE DISTRICT								
<input type="checkbox"/> AGRICULTURAL	<input type="checkbox"/> URBAN GENERAL (Hamlets)	<input type="checkbox"/> VICTORIA DISTRICT	<input type="checkbox"/> MULTI-LOT COUNTRY RESIDENTIAL (Lake Resorts or rural subdivisions)					
EXISTING USE OF LAND / BUILDINGS								
<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> COMMERCIAL	<input type="checkbox"/> ACCESSORY BUILDINGS	<input type="checkbox"/> OTHER _____					

DEVELOPMENT INFORMATION				
DESCRIBE THE USE OF THE PROPOSED DEVELOPMENT				
INDICATE THE PROPOSED SETBACK FROM THE PROPERTY LINE				
FRONT YARD	REAR YARD	SIDE YARD 1	SIDE YARD 2	<input type="checkbox"/> feet
				<input type="checkbox"/> meters
DEVELOPMENT:	COMMENCEMENT DATE	COMPLETION DATE	CONSTRUCTION COSTS	

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Please indicate if the land that is subject of the development permit application situated within 1.5 miles of land that is used as:

(a) A landfill for the disposal of garbage or refuse	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(b) An Intensive Livestock Operation (beef, swine, chickens, etc)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(c) A sewage treatment or sewage lagoon	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IS THE PROPOSED DEVELOPMENT WITHIN:

209 feet of centreline of Secondary Hwy? Yes No ½ mile of Primary Hwy? Yes No

125 feet of centreline of County Road? Yes No

One mile of a river, stream, creek or lake? Yes No If yes, Name: _____

In consideration of any permit issued in respect to this application, the Applicant shall indemnify and hold harmless Smoky Lake County, its employees and agents, from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized. The Applicant consents hereby also to a person designated by Smoky Lake County, to enter upon the land for the purpose of inspection during the processing of this Application.

It is understood that all works will be constructed, altered, maintained or operated at the sole expense of the undersigned, and that work must not begin before a Permit has been issued by Smoky Lake County. The issuance of a Permit by Smoky Lake County does not relieve the holder of the responsibility of complying with relevant municipal bylaws and this Permit, once issued, does not excuse violation of any regulation, bylaw or act which may affect this project.

DECLARATION		
I / WE HEREBY DECLARE THAT THE ABOVE INFORMATION, TO THE BEST OF MY / OUR KNOWLEDGE, IS FACTUAL AND CORRECT.		
	_____ DATE	_____ SIGNATURE OF APPLICANT
NOTE: Signature of Registered Land Owner required IF DIFFERENT from Applicant	_____ DATE	_____ SIGNATURE OF REGISTERED LAND OWNER

FOR ADMINISTRATIVE USE ONLY		
LAND USE CLASSIFICATION _____	TAX ROLL NUMBER _____	
FEE ENCLOSED: <input type="checkbox"/> Yes <input type="checkbox"/> No	\$ _____ AMOUNT	_____ RECEIPT NUMBER
NOTICE OF DECISION: APPROVED: <input type="checkbox"/> Yes <input type="checkbox"/> No	CONDITIONS (IF ANY) OR REASON FOR DENIAL: 	
_____ DATE OF DECISION	_____ DATE OF NOTICE OF DECISION	_____ SIGNATURE OF DEVELOPMENT OFFICER

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DEVELOPMENT PERMIT SITE PLAN (use area OR define lot boundaries)



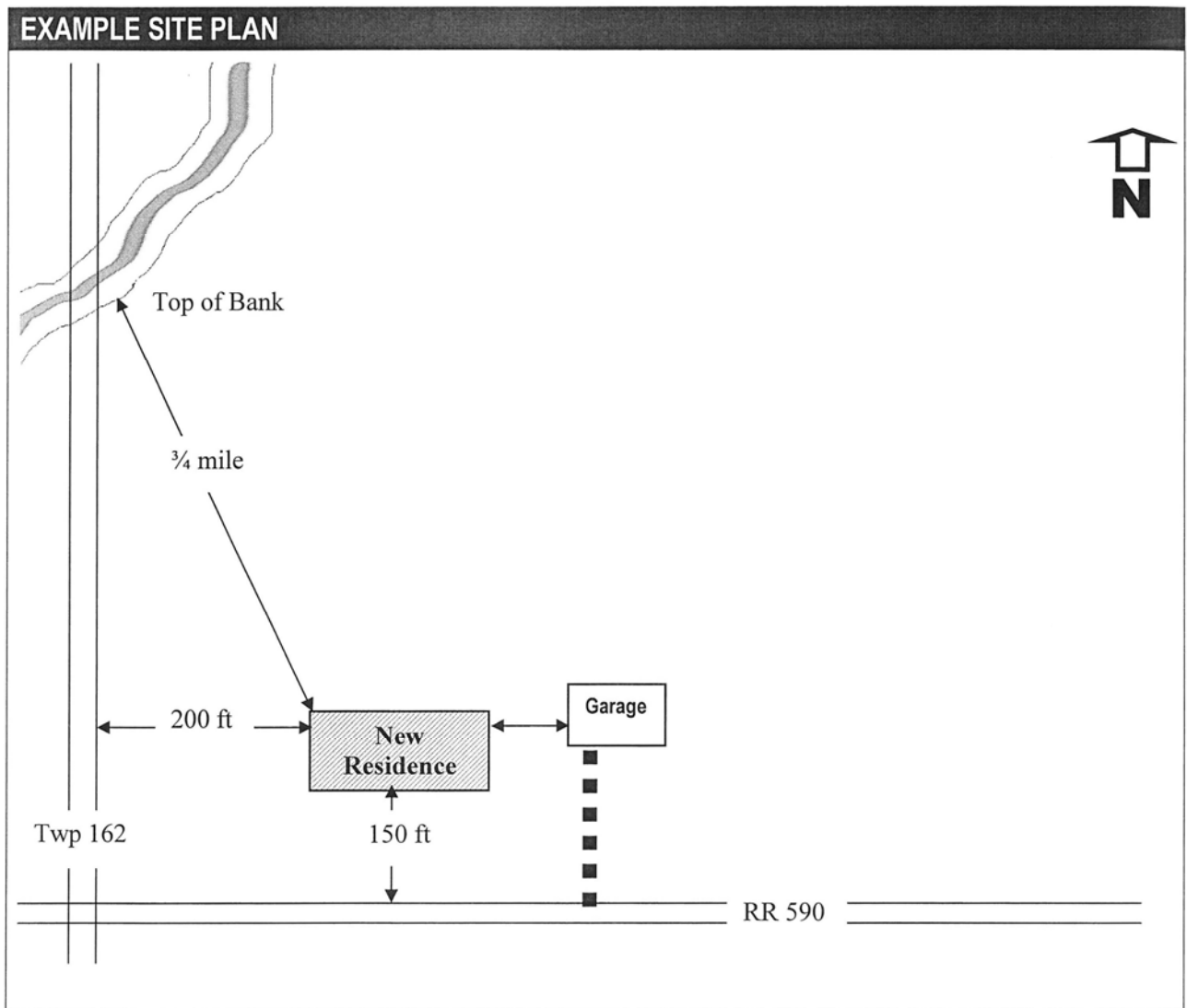
[Empty site plan area for drawing]

DATE: _____

SIGNATURE OF APPLICANT: _____

PLEASE FOLLOW EXAMPLE SITE PLAN

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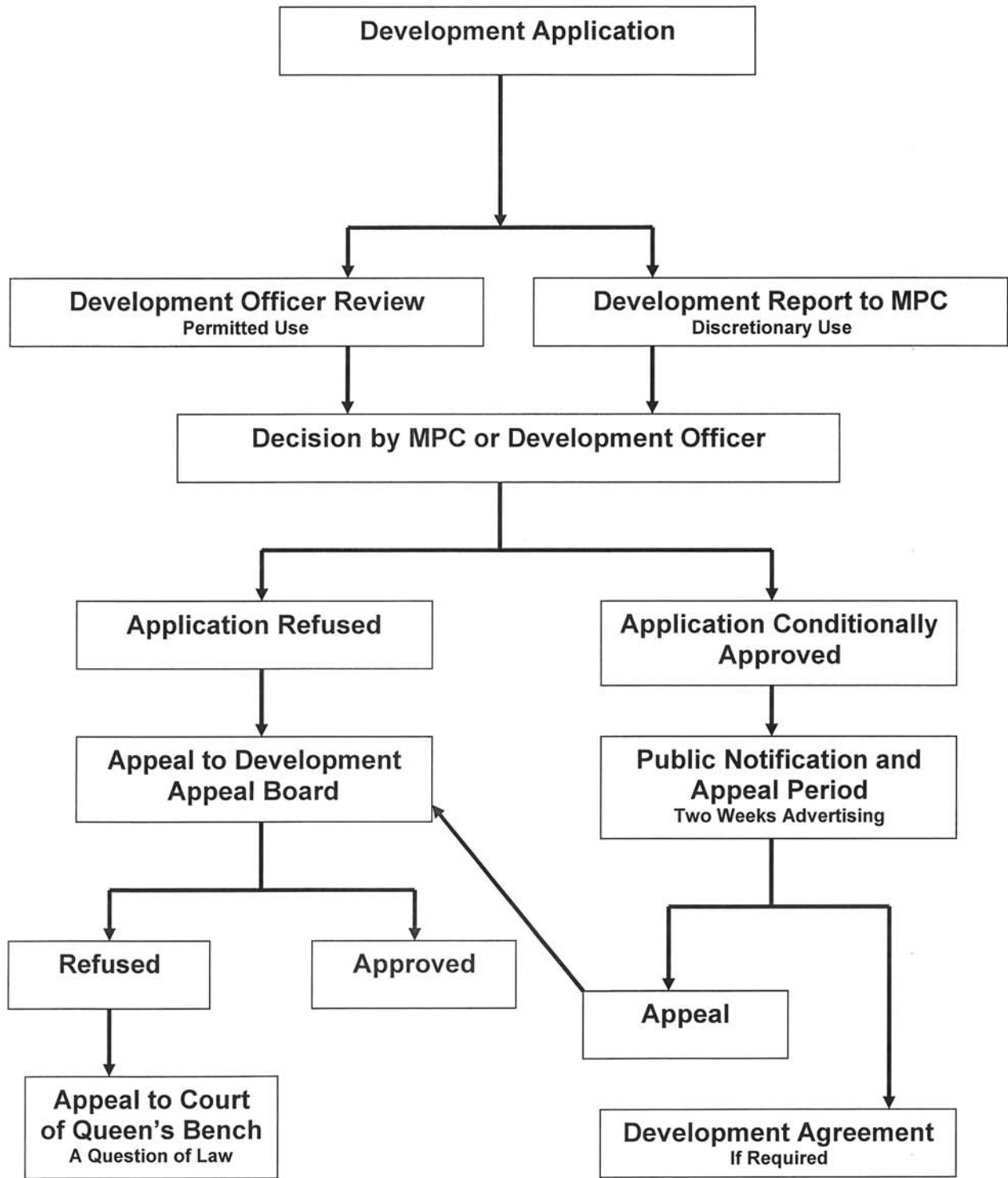


INCLUDE THE FOLLOWING INFORMATION IN YOUR SITE PLAN:

- legal description of the property;
- area and shape of the property;
- north arrow;
- identify public road providing access to the property;
- location of the approach to the property;
- dimensions of the proposed building(s);
- locations of the well and the sanitary sewer discharge;
- distances from the proposed building(s) to the front, sides and rear yard property lines;
- existing buildings;
- location of any water bodies and or steep embankments;

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DEVELOPMENT PERMIT PROCESS



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