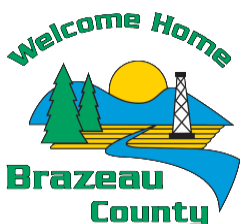




DEVELOPMENT PERMIT GUIDE



Prepared by the Planning and
Development Department

A Guide to Development in Brazeau County

This document is intended to assist applicants in the process of applying for a Development Permit. The information in this document provides a basis for understanding the Development Permit process, but is not intended to provide a comprehensive explanation of all issues related to development. Additional regulations and policies are outlined in the *Municipal Government Act*, the *Subdivision and Development Regulation*, Brazeau County's *Municipal Development Plan*, and Brazeau County's *Land Use Bylaw*, as well as any applicable Area Structure Plans. Please review this document along with the Application Requirements Checklist and Sample Site Plan, and contact the Planning and Development Department at 780-542-7777 or planning@brazeau.ab.ca if you have any questions or require assistance.

Any development or changes to your property may affect your property assessment and taxes. If you have any questions or concerns, please call the Finance Department at 780-542-7777.

1. APPLICATION REQUIREMENTS

The Application form must be:

- completed in full – all sections highlighted in green MUST be completed, as well as any other applicable section (e.g. if you are building a new covered deck on your residence the complete sections 3a. and c.; if you are going to be operating a home occupation complete section 7);
- signed by all of the registered landowner(s); please note that hand-signed ink signatures are accepted, but digital encrypted type signatures are not accepted;
- accompanied by evidence of corporate signing authority if the land is owned by a corporation, before it will be accepted for processing; and
- accompanied by a Site Plan and building/floor plans for any new construction, placement of a structure or demolition/removal of a structure; these can be separate documents, or the included building sketches (Section 3.c.) and Site Plan (Section 10) can be used to supply the information.

Information regarding the legal description, parcel size and land use zone can be found on your Tax Notice, or by using the Planning and Development Public Map tool available on our website. Navigate to www.brazeau.ab.ca and on the home page choose Interactive Maps -> Planning & Development Map.

Please pay attention to the information included on the blue splash screen which appears when you open the map, as it includes important information regarding the mapping system, including how to access the information you will need. This map can also be used to create the necessary Site Plan (see section 2 below).

A copy of the floor plans for the structure(s) must be provided with the Application. Section 3.c. of the Application includes a space where you can draw in the dimensions and floor layout if you wish, however additional pages and/or third party drawings are also acceptable. Please note, if the structure will not contain any internal walls/rooms, you can indicate that it is “open concept” by writing that in the diagram in section 3.c.

The height to peak (highest point) of the structure measured from the ground must also be provided.

Brazeau County may require any information that the Development Authority deems necessary to make a decision regarding the Application.

The Development Authority may refuse to accept or process an Application if the required information has not been supplied, or if the quality of information is inadequate to properly evaluate the Application.

2. SITE PLAN REQUIREMENTS

A detailed Site Plan must include the information as outlined in the Development Permit Checklist and as shown on the Sample Site Plan (see pages 8 and 9).

The Planning and Development Public Map tool is helpful even if you choose to draft or draw your own Site Plan. The Planning and Development Public Map will allow you to get measurements for setbacks from the location of your proposed development to pipelines, gas lines and any hazard lands.

The applicant/owner is advised to accurately locate any oil, gas, power, and telephone lines on the property prior to undertaking any excavation work. Please contact Alberta One-Call at 1-800-242-3447 or utilitysafety.ca. Setbacks from pipelines must be maintained so it is very important that the applicant/owner knows where they are located.

3. PROVINCIAL & FEDERAL REQUIREMENTS

NOTE: Brazeau County is not accredited, and does not issue building code, electrical, gas, or plumbing (sewer/water) permits. As such, all provincially regulated permits or approvals (i.e. safety code building, plumbing, gas, electrical, sewer, water, highway access / roadside development permit) that may be required are the responsibility of the applicant/owner.

All Development Permits are subject to the applicable provincial and/or federal enactments and regulations.

4. CONSTRUCTION PRIOR TO DEVELOPMENT PERMIT ISSUANCE

Any construction work started on the property **prior to the issuance of a development permit**, and expiration of the appeal period, is at the applicant/owner’s risk.

5. PERMIT PROCESS FROM APPLICATION TO ISSUANCE

Once a Permit Application has been submitted to the Brazeau County Office, the processing begins. Administration has twenty (20) days to determine if the Application is complete or if additional information is required. Following that period, the *Municipal Government Act* mandates that a decision on all Permits should be given within forty (40) days. Often the volume and complexity of the various Applications make this timeline difficult to maintain, so Administration may request an extension of time from the applicant/owner.

There are two main types of Development Permits which are either a:

- permitted use** – approved by the Planning and Development Department; or a
- discretionary use** – approved by the Municipal Planning Commission (MPC).

A variance (such as a reduction of a required setback to a property line) may be approved by Staff if it is less than fifty (50%) percent and is determined that the variance will not unduly interfere with the neighbourhood or neighbouring properties. Please keep in mind that if a permitted use requires a major variance (greater than fifty (50%) percent) to the Land Use Bylaw, then it must also be approved by the MPC. Discretionary use or major variance permits typically take longer to process as they require circulation to adjacent landowners and referral agencies and must be heard at an MPC meeting, which are scheduled on or about the second Tuesday of each month.

6. DISCRETIONARY USE APPLICATIONS AND MAJOR VARIANCES

Once a complete Application for a discretionary use or major variance is received, Staff processes the Application. Processing includes the circulation of notification of the Application, along with maps and information generated by the County, to the following interested parties:

a) Referral Agencies

Meaning:

- i) power and gas service providers, FORTIS, TELUS and school divisions;
- ii) all interests registered on the subject parcel's Certificate of Title (eg. if the subject parcel includes a lease road and well site, the oil company will receive a referral notice); and
- iii) any agency or government body who may have an interest in the area around the subject parcel (eg. if access to the proposed lot(s) or remnant parcel is from a highway, a referral notice is sent to Alberta Transportation).

Referral agencies are asked to provide their comments and are given the opportunity to provide conditions of approval or reasons for refusal.

b) Adjacent Landowners

The Application is circulated for comment to all adjacent landowners whose property is directly abutting the subject parcel, or which would be abutting the subject parcel if not for a road or water body.

c) Internal Circulation

The Application is circulated to all necessary Brazeau County Departments for their review and comment. This will result in a response from Public Works Department regarding any approach conditions and upgrades which may be required. Other Departments may also provide comments or conditions, depending upon the nature of the development.

These comments are used to evaluate the application and establish conditions of approval. The applicant/owner is responsible for addressing any concerns or issues that may be identified by any agencies and/or adjacent landowners who comment on the Application. County Staff is available to review the circulation responses with the applicant/owner.

The Development Authority for the review and approval of discretionary use or major variance Applications is the MPC. MPC meetings are held monthly. The MPC is comprised of three (3) appointed County Councillors and two (2) members-at-large. During the MPC meeting, a decision is reached to either approve (with conditions), table (usually for additional information to be provided) or refuse (with reason) the Application.

Prior to the meeting, Staff prepares a report on the Application to be presented to the MPC. This report is based on review of the proposed development in consideration of County bylaws and policies, a potential site visit, and comments received through the referral process. Staff will provide a recommendation for approval, tabling or refusal, as well as conditions or reasons in support of their recommendation for the Application.

The flow chart on the next page outlines the process for the different types of Development Permits.

7. DEVELOPMENT PERMIT DECISION

Applicants (and landowners if they are different) will be provided with a copy of the decision of the Development Authority as outlined below.

1. Approval will include a list of conditions which must be met in order for the development to be considered compliant. Please note that you have twelve (12) months to commence the development. If you do not meet this timeline, and you do not apply for an extension, your Development Permit is deemed expired and you must re-apply for your development.
2. Refusal will include a list of the reasons that the Application for Development Permit was deemed unsuitable.

Appeal of the decision of the Development Authority, whether for approval or refusal, is initiated through either the local Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, depending on whether the lands are subject to provincial interests. Information regarding submitting an appeal will be included with the decision.

Once a Development Permit has been issued, the applicant/owner has twelve (12) months from the date of issuance to commence the development and will have twenty-four (24) months from the date of issuance to complete the development. If the development has not commenced within twelve (12) months or has not been completed within twenty-four (24) months, the Development Permit may be declared null and void.

Any request for an extension of these deadlines must be made in writing to the County, prior to the expiry of the twelve (12) month deadline and prior to the expiry of the twenty-four (24) month deadline.

Once the development is started, it is not to be abandoned or left for an extended period of time in what the County considers to be an unsightly or unsafe condition. The development must be completed in accordance with the development approval.

No changes or additions are to be made to the development without prior approval of the County.

The Development Permit does not excuse the applicant/owner from complying with any other government regulations or requirements which may affect the development. For example:

- permits may be required under the *Alberta Safety Codes Act* before development can proceed. For more information, contact one of the accredited safety code agencies listed on the attachment titled Compliance with *Safety Codes Act*.
- a permit will be required from Alberta Transportation for any development that is proposed within 300 metres (984 feet) of a highway right-of-way or within 800 metres (2625 feet) of the centreline of a highway and public road intersection.

8. FURTHER INFORMATION

For additional information or to book a pre-application meeting, please contact:

Brazeau County
Planning and Development Department
7401 Twp Rd 494, Box 77
Drayton Valley, AB T7A 1R1
Email: planning@brazeau.ab.ca
Phone: 780-542-7777
Fax: 780-542-7770
Or visit our website at: www.brazeau.ab.ca



7401 Township Road 494, P.O. Box 77, Drayton Valley, Alberta T7A 1R1; Planning & Development 780.542.7777; www.brazeau.ab.ca

DEVELOPMENT PERMIT PROCESS

Stage of Process and Timing	Applicant Responsibilities/Actions	Process Flow	Administration Responsibilities/Actions
Application Submission and Review for Completion 20 days	<ul style="list-style-type: none"> Applicant submits application package. Applicant to provide additional information as requested or address any concerns which may arise from the review process. 		<ul style="list-style-type: none"> Application is reviewed and deemed complete OR the applicant is advised if additional information is required.
Review, Referral and Decision 40 days	<ul style="list-style-type: none"> Applicant is encouraged to attend the Municipal Planning Commission (MPC) meeting if the decision regarding approval is to be made by that body. 		<ul style="list-style-type: none"> Determination is made if the development is permitted; if so, Staff approves (with conditions). If a development is discretionary, involves a variance request exceeding 50%, or is irregular in nature (i.e., uncommon or complex), it will be referred to the Municipal Planning Commission (MPC) for a decision. Information is circulated to internal departments, referral agencies and adjacent landowners.* Staff prepares and presents a report to the Municipal Planning Commission (MPC). MPC will approve (with conditions), table, or refuse (with reasons) the Permit.
Appeal 21 days	<ul style="list-style-type: none"> Applicant has the right to appeal the decision to the Subdivision and Development Appeal Board. An appeal must be filed within twenty-one (21) days of the date of the decision. 		<ul style="list-style-type: none"> Administration will prepare a submission with respect to the Appeal and attend the Appeal hearing.
Completion of Conditions 2 years	<ul style="list-style-type: none"> Applicant has one (1) year to commence construction and one (1) year to finish [total of two (2) years]. 		<ul style="list-style-type: none"> Reviews file in two (2) years of approval to confirm development complete and conditions met.

*Residential development within 1.5 km of a sour gas well or pipeline must be referred to the Alberta Energy Regulator. They require thirty (30) business days to provide a response and will therefore delay Brazeau County's decision

Development Permit Application Requirements Checklist

Please use this checklist to help ensure that all portions of your Development Permit Application are properly completed. Any missing items will need to be added before the Application can be accepted.

Completed by Applicant	Office Use Only	APPLICATION REQUIREMENTS
<input type="checkbox"/>	<input type="checkbox"/>	Completed application form <i>(please refer to top of application to determine which sections are required)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Signatures of ALL landowners and any applicant(s) in ink . <i>No digital signatures accepted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	If you are signing on behalf of a company , an Affidavit or corporate seal must be provided
<input type="checkbox"/>	<input type="checkbox"/>	If in Birchwood Country Condominium , approval from the Condo Board must be provided
<input type="checkbox"/>	<input type="checkbox"/>	If in a Manufactured Home Park , must be signed by the park owner or manager as the landowner
		SITE PLAN REQUIREMENTS
<input type="checkbox"/>	<input type="checkbox"/>	North arrow
<input type="checkbox"/>	<input type="checkbox"/>	Scale of site plan (i.e. 1 square = 10 m, or 1 cm = 10 m) or “Not to scale”
<input type="checkbox"/>	<input type="checkbox"/>	Legal location of the property <i>(long legal as well as lot/block/plan if applicable)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Property lines of the entire parcel <i>(please add 2nd page for detail if necessary)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Labels for:
<input type="checkbox"/>	<input type="checkbox"/>	Location of the approach to the property (labelled as existing or proposed)
<input type="checkbox"/>	<input type="checkbox"/>	Name of the county road or highway providing access to and/or adjacent to the property;
<input type="checkbox"/>	<input type="checkbox"/>	Existing structure(s): Location and dimensions (labelled as existing)
<input type="checkbox"/>	<input type="checkbox"/>	Proposed structure(s): Location and dimensions (labelled as proposed)
<input type="checkbox"/>	<input type="checkbox"/>	Location of any easements, rights-of-way, or public utility lines
<input type="checkbox"/>	<input type="checkbox"/>	Location and type of hazard land (ravines, water bodies, wetlands, dugouts, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Setbacks and labels from proposed structure(s) to:
<input type="checkbox"/>	<input type="checkbox"/>	Front, side, and rear yard property lines
<input type="checkbox"/>	<input type="checkbox"/>	Oil and gas pipelines and facilities (well sites, battery sites, processing plants, pipelines, etc.) <i>A minimum 30m setback must be maintained from any operating pipeline, and 100m from an active wellsite. Variance requests to this must be obtained in writing from Alberta Energy Regulators (AER) and/or the operator of the pipeline or wellsite.</i>
<input type="checkbox"/>	<input type="checkbox"/>	Any water body or water course measured from the top of the bank
<input type="checkbox"/>	<input type="checkbox"/>	Steep embankments measured from the top of bank
		Business operation permits – section 7
<input type="checkbox"/>	<input type="checkbox"/>	Location and dimensions of any outdoor or chemical storage areas
<input type="checkbox"/>	<input type="checkbox"/>	Location and dimensions of parking areas
		Signs – section 9
<input type="checkbox"/>	<input type="checkbox"/>	Location and setback to overhead powerlines and property lines
		BUILDING PLAN REQUIREMENTS
<input type="checkbox"/>	<input type="checkbox"/>	Concept / Elevation Drawings: Label plans with dimensions of building, including height
<input type="checkbox"/>	<input type="checkbox"/>	Floor Plan: Label purpose of each space (kitchen, living room, bedroom, etc.) or indicate “open concept” if there are no walls
<input type="checkbox"/>	<input type="checkbox"/>	For walkout basements, locate and label height to peak from average finished grade on building plan elevations

SAMPLE SITE PLAN

Legal Land Description: NE 34-48-08-W5M Scale: 1 cm = 10 m

