

TOWN OF DRUMHELLER

703 – 2nd AVENUE WEST
DRUMHELLER, ALBERTA
T0J 0Y3

PHONE: 1-403-823-1300
FAX: 1-403-823-7739

APPLICATION FOR DEVELOPMENT PERMIT

I/We hereby make application for a development permit under the provisions of the Landuse Bylaw No. 36-98 for the Town of Drumheller in accordance with the plans and supporting information submitted herewith which form part of this application.

APPLICANT: _____ PHONE NO.: _____
MAILING ADDRESS: _____ POSTAL CODE: _____
PROPERTY OWNER: _____ PHONE NO.: _____
MAILING ADDRESS: _____ POSTAL CODE: _____

INTEREST OF APPLICANT (if not property owner): _____

CONTRACTOR (if applicable): _____

LOCATION OF PROPOSED DEVELOPMENT:

AREA/SUBDIVISION: _____ CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Plan _____ Block _____ Lot(s) _____ (if applicable)

_____ ¼ Sec. _____ Twp. _____ Rng. _____ W4th

EXISTING USE OF PROPERTY: _____ ZONING: _____

DEVELOPMENT DETAILS:

PROPOSED DEVELOPMENT: _____

DEVELOPMENT DETAILS:

(A neat , accurate plot plan to be submitted with application.)

SETBACKS OF DEVELOPMENT:

| | | | | | | | |
|---------------|-------|--------------|-------|---------------|-------|--------------|-------|
| FRONT: | _____ | REAR: | _____ | RIGHT: | _____ | LEFT: | _____ |
|---------------|-------|--------------|-------|---------------|-------|--------------|-------|

COST OF DEVELOPMENT: _____

BUILDING PERMIT REQUIRED:

OTHER SUPPORT MATERIAL ATTACHED: _____

EST. COMMENCEMENT DATE: _____

EST. COMPLETION DATE: _____

ADDITIONAL INFORMATION REGARDING DEVELOPMENT:

NOTE: THIS IS NOT A BUILDING PERMIT (Such permit must be obtained separately). The applicant is not excused from complying with the requirements of any federal, provincial or other municipal legislation, or the conditions of any easement, covenant, building scheme or agreement affected the building or land.

SIGNATURE: _____ **DATE:** _____

(For Office Use Only)

PERMIT FEE: _____

PERMIT NO. _____

TYPE OF WORK: _____

CLASSIFICATION: _____

RECEIVED BY

DATE RECEIVED

IMPORTANT NOTES:

1. A Development issued pursuant to Bylaw No. 36-98 shall not be valid until the lapse of fourteen (14) days after the notice of decision to grant a permit has been published in a newspaper, or posted on the site of the development or both.
2. A Development Permit issued pursuant to Bylaw No. 36-98 is not a Building Permit and work or construction shall neither commence nor proceed until a Building Permit has been issued pursuant to all applicable bylaws and regulations.
3. If the development authorized by a Development permit is not commenced within twelve (12) months from the date of its issue, and completed within twenty-four (24) months of the date of its issue, the permit is deemed to be void unless an extension to this period shall first have been granted by the Development Officer or the Municipal Planning Commission.
4. When an appeal is made pursuant to Part 4 of Bylaw No. 36-98 a Development Permit which has been granted shall not be valid unless and until the decision of the Development Officer or the Municipal Planning Commission has been sustained by the Subdivision and Development Appeal Board.
5. Every application for a Development Permit shall be made by submitting to the Development Officer the prescribed form(s), signed by the owner or his agent, and accompanied by the following:
 - a) If required by the Development Officer, building plans in duplicate showing:
 - i. floor plans;
 - ii. elevations;
 - iii. exterior finishing materials.
 - b) site plans, in duplicate showing:
 - i. the legal description and municipal address;
 - ii. dimensions of the site;
 - iii. if required by the Development Officer, utilities, site drainage, finished lot grades, the grades of the street and the location of proposed sewer and water lines of all proposed and existing buildings and structures including retaining walls, trees landscaping and other features;
 - iv. a surveyor's certificate if required by the Development Officer.
 - c) an application for multiple family, commercial, industrial, recreational and institutional uses shall show:
 - i. loading and parking provisions;
 - ii. access locations to and from the site;
 - iii. garbage and storage areas and the fencing and screening proposed for same;
 - iv. location and approximate dimensions of existing and proposed culverts and crossings.
 - d) such other information as the Development Officer may require.
 - e) Development Permit Fee as determined by Council

APPEAL PROCEDURE:

6. An appeal of a decision of the Development Officer of Municipal Planning Commission may be made by an aggrieved person by serving written notice of appeal to the Secretary of the Development Appeal Board of the Town of Drumheller within fourteen (14) days after the notice of decision is given pursuant to Section 10.3 of the Landuse Bylaw No. 36-98 (as per Section 1 above).

NOTICE OF DECISION DEVELOPMENT PERMIT

PERMIT NO.:

DEVELOPMENT:

LEGAL DESCRIPTION OF DEVELOPMENT SITE:

CIVIC ADDRESS OF DEVELOPMENT SITE:

NAME AND ADDRESS OF APPLICANT:

DECISION:

| | | | | | |
|--------------------------|-----------------|--------------------------|---|--------------------------|---|
| <input type="checkbox"/> | APPROVED | <input type="checkbox"/> | APPROVED with the following conditions | <input type="checkbox"/> | REFUSED for the following reasons: |
|--------------------------|-----------------|--------------------------|---|--------------------------|---|

(SEE BELOW FOR FURTHER CONDITIONS AND APPEAL PROCEDURE)

CONDITIONS OF APPROVAL/REASONS FOR REFUSAL:

DATE OF DECISION

DATE OF ISSUE OF
NOTICE OF DECISION

LORNE THOMPSON
SIGNATURE OF DEVELOPMENT OFFICER

IMPORTANT INFORMATION

This permit is issued subject to the following conditions:

- a. That the development or construction of the said land(s) will not begin until **14** days after the Date of Issue of Notice of Decision.
- b. That the development or construction shall comply with the conditions of the decision herein contained or attached.
- c. That the development or construction will be carried out in accordance with the approved plans and application.
- d. Should you wish to appeal this decision, an appeal may be made to the Secretary of the Development Appeal Board within 14 days of the Date of Decision.
- e. That this permit shall be invalid should an appeal be made against the decision. Should the Development Appeal Board approve this issue of this permit, this permit shall be valid from the date of decision and in accordance with the conditions of the Development Appeal Board.
- f. This permit is valid for a period of 12 months from the date of issue or the date of an approved decision of the Development Appeal Board. If at the expiry of this period the development or construction has not been commenced or carried out with reasonable diligence this permit shall be invalid.

Dated this day of , 1999.

IMPORTANT NOTICES

You may wish to appeal the decision of the Development Officer and/or the Municipal Planning Commission to the Development Appeal Board. Such an appeal shall be made in writing, with the prescribed fee, and shall be delivered either in person or by mail so as to reach the Secretary of the Development Appeal Board at;

**703 – 2nd Ave West
Drumheller, Alberta
T0J 0Y3**

The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer and/or Municipal Planning Commission may appeal to the Secretary of the Development Appeal Board WITHIN 14 DAYS AFTER THE NOTICE OF DECISION IS PUBLISHED IN THE LOCAL NEWSPAPER.

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon or question of jurisdiction or law pursuant to section 688 of the Municipal Government Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made:

- (a) to a judge of the Appellate Division; and
- (b) within Thirty (30) days after the issue of the order, decision, permit or approval sought to be appealed.

RIGHT OF APPEAL

Sections 685 and 686 of the MUNICIPAL GOVERNMENT ACT state:

Grounds for appeal

685 (1) If a development authority

- (a) refuses or fails to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

- (2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.
- (3) Notwithstanding subsections (1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted.

Appeals

686 (1) A development appeal to a subdivision and development appeal board is commenced by filing a notice of the appeal, containing reasons, with the board within 14 days,

(a) in the case of an appeal made by a person referred to in section 685(1), after

- (i) the date on which the person is notified of the order or decision or the issuance of the development permit, or
- (ii) if no decision is made with respect to the application within the 40- day period or within any extension under section 684, the date the period or extension expires,

or

(b) in the case of an appeal made by a person referred to in section 685(2), after the date on which the notice of the issuance of the permit was given in accordance with the land use bylaw.

(2) The subdivision and development appeal board must hold an appeal hearing within 30 days of receipt of a notice of appeal.

(3) The subdivision and development appeal board must give at least 5 days notice in writing of the hearing

- (a) to the appellant,
- (b) to the development authority whose order, decision or development permit is the subject of the appeal, and
- (c) to those owners required to be notified under the land use bylaw and any other person that the subdivision and development appeal board considers to be affected by the appeal and should be notified.

(4) The subdivision and development appeal board must make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including

- (a) the application for the development permit, the decision and the notice of appeal, or
- (b) the order under section 645.

(5) In subsection (3), owner means the person shown as the owner of land on the assessment roll prepared under Part 9.