

DEVELOPMENT INFORMATION PACKAGE

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PLANNING & DEVELOPMENT
LACLABICHECOUNTY.COM
780-623-1747

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Lac La Biche County
welcoming by nature.

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1.0 INTRODUCTION

Lac La Biche County supports responsible development in our community. Under Alberta's *Municipal Government Act (MGA)*, the County has powers and responsibilities for regulating development that takes place in our municipality. We strive to do so in a way that is clear, consistent and fair; appealing to developers and potential developers; and considerate of our community's economic, social and environmental goals.



Normally, before any project can begin, Lac La Biche County must issue a development permit. Receiving this permit is not a final step. Every property in the County is zoned according to our Land Use Bylaw, and each category of zoning allows for different land uses. By applying for a development permit, you are asking for the County's approval of the proposed project.



The regulations that Lac La Biche County has adopted are not unique in Alberta. All municipalities have processes for regulating development within their borders.



If you're thinking of starting or expanding a business in Lac La Biche County, even a home-based one, or for general information about our business climate, please contact our Economic Development staff members at (780) 623-6737 or email ecdev@laclabichecounty.com for guidance.

2.0 PURPOSE

This document outlines the steps involved in applying to develop property in the County, and it should give direction to anyone interested in development.

This document does not replace official Lac La Biche County legislation and policies. If you require more information about any of the topics covered in this guide, please contact the County's Planning & Development department:

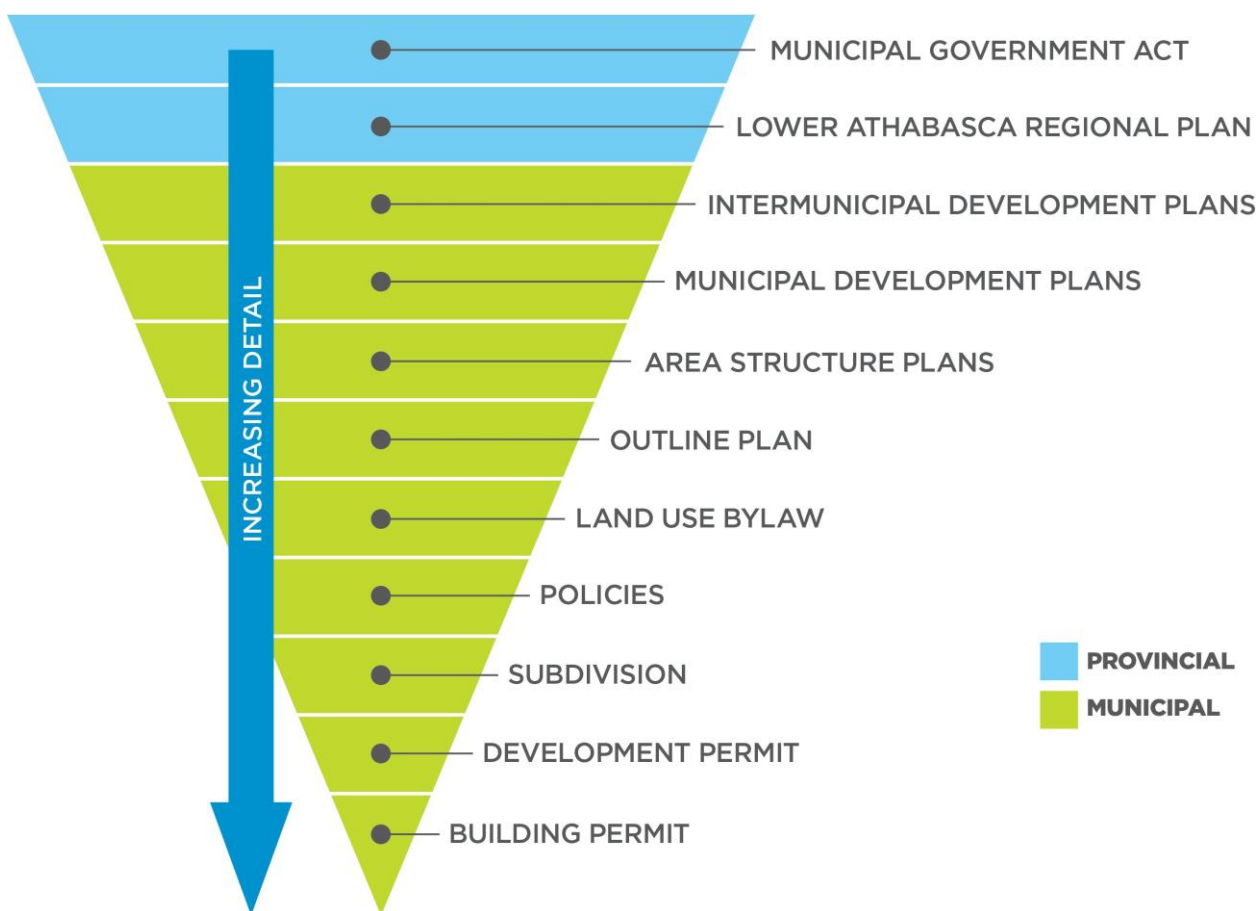
780-623-1747 / 13422 Highway 881 (County Centre office building)
planning.development@laclabichecounty.com

3.0 PLANNING HIERARCHY

Land use planning in Alberta must follow both provincial and municipal-level plans. The MGA provides the legislative authority for Lac La Biche County to make land use planning and development decisions within its boundaries.

At the County level, statutory plans like the Municipal Development Plan and the Land Use Bylaw (which are adopted by Council) give direction to our Planning & Development department, informing our decisions as to which land uses and developments should be permitted.

Figure 1 — Lac La Biche County Planning Hierarchy



4.0 WHAT IS A DEVELOPMENT PERMIT?

Development, as defined by Section 616 (b) of the MGA, involves:

- Creating an excavation or stockpile;
- Building, adding to, replacing or repairing a building, as well as constructing or placing any of them on, in or under land;
- Changing the use of land or a building, or making changes to land or a building that are likely to change their use;
- Changing the intensity of use in land or a building, or making changes to land or a building that are likely to change their intensity of use.

A development permit is written approval from Lac La Biche County, confirming that a proposed development follows the rules of the Land Use Bylaw and other legislation. Permits are required for new construction, building alterations, changes in use, establishment of home-based businesses, temporary building structures, fences above a certain height, and some types of landscaping.



A development permit is necessary in the vast majority of cases, but there are some exceptions. It is best to first contact our Planning & Development department to confirm whether or not your project requires a development permit.

5.0 WHO CAN APPLY FOR A DEVELOPMENT PERMIT?

Only the registered owner(s) of the land to be developed can apply for a development permit. However, in some cases the registered owner(s) can appoint an authorized agent to act on their behalf.

6.0 WHO MAKES DEVELOPMENT PERMIT DECISIONS?

If a proposed development is a permitted use and meets all requirements of the Land Use Bylaw, a Development Officer issues a development permit, with or without conditions. If the proposed development is a discretionary use, the Development Officer prepares and presents recommendations to the Municipal Planning Commission (MPC). The MPC approves or refuses development permit applications for all discretionary uses. Approval of a discretionary use may be subject to conditions beyond the development standards outlined in the Land Use Bylaw. Approving a discretionary use also requires us to notify adjacent landowners, who may appeal the decision.

7.0 LAND USE BYLAW AND ZONING — MGA S. 639, 640

According to the MGA, every municipality in Alberta must adopt a Land Use Bylaw. Our Land Use Bylaw divides Lac La Biche County into land use districts. Every property within our borders is part of one of these districts (also called zoning categories) and each district has permitted and discretionary uses. This is how the County regulates the development of different land parcels.

The Land Use Bylaw also outlines the County's regulations for subdividing and rezoning land. Rezoning is the process of changing a land parcel's district, which also changes the permitted and discretionary uses for that parcel.

8.0 LAC LA BICHE COUNTY DEVELOPMENT AUTHORITY MGA S. 624

The MGA also requires every municipality to establish a Development Authority, to receive, process and review development permit applications. A Development Authority may be a designated officer, an MPC or any other person or organization. Most municipalities assign some decision-making and administrative responsibilities to staff members.

9.0 MUNICIPAL PLANNING COMMISSION — MGA S. 626

The MGA authorizes our Council to establish a Municipal Planning Commission (MPC) to act as a Development Authority. Our MPC reviews applications for discretionary uses, and for permitted uses that propose a variance to the Land Use Bylaw regulations between 75% and 100%. The MPC is also the County's Subdivision Authority.

The MPC is composed of three residents who serve as members-at-large, and five representatives of Council. All members are appointed for three-year terms. Meetings are held on the second and fourth Wednesday of each month, unless rescheduled by an MPC resolution.

10.0 SUBDIVISION AND DEVELOPMENT APPEAL BOARD MGA S. 627

The MGA requires every municipality to establish a Subdivision and Development Appeal Board (SDAB) to hear all appeals against decisions made by the local Development Authority.

11.0 DEVELOPMENT PROCESS — HOW IT HAPPENS

Developments involving vacant land, existing development or redevelopment all follow a common process (see Figure 2 on the following page).

Once you submit your development permit application, our Planning & Development department will review it. You will be notified once your application is deemed complete, or if any additional information is required.

11.1 DEVELOPMENT PERMIT APPLICATION

Within 20 days of receiving an application for a development permit, the Development Authority must determine whether the application is complete. If additional information is needed, the applicant will be told what documents are required. The applicant will also be notified if there are other issues that need to be resolved. See 12.0 for more information.

11.2 COUNTY DECISION TIMELINE

The Development Authority must make a decision regarding a development permit application within 40 days, unless the applicant and the Development Authority agree to extend the timeline. In most cases, the County decides within three or four weeks, from start to finish.

For all discretionary uses, Lac La Biche County's Community Engagement Policy requires that public consultation be done **before** making a decision. In some cases, this will be done through a letter sent to adjacent landowners.

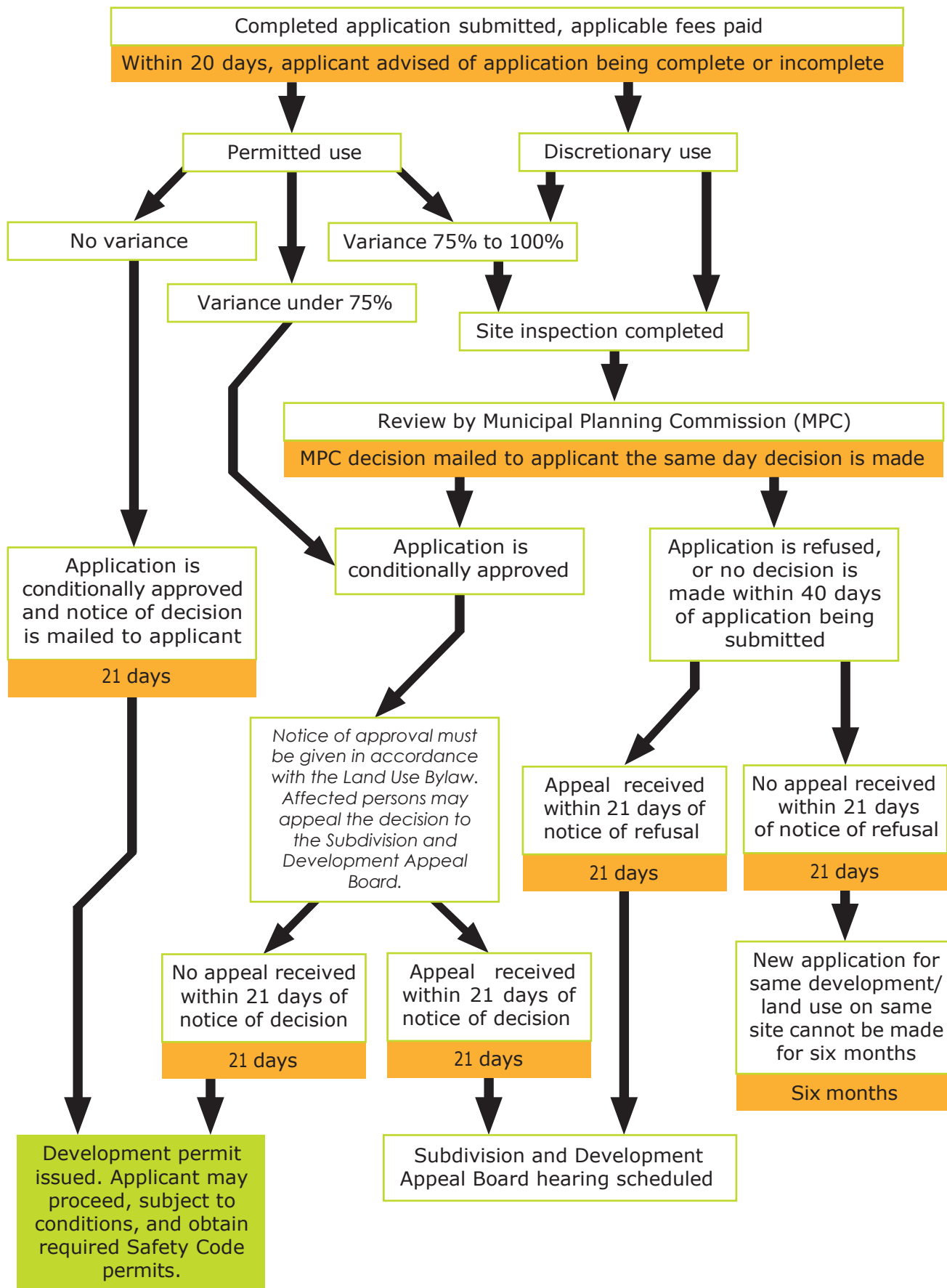
When a development permit application is approved for a discretionary use or a use that includes a variance to the normal regulations, adjacent landowners are notified in accordance with the MGA. There is a 21-day appeal period that must pass before the actual development permit is issued. If an appeal is submitted, a formal hearing will determine if the proposed development can proceed.

Once the development permit is issued, and depending on the project scope, you may also need Building, Electrical, Gas, Plumbing and Private Sewage Disposal System permits (known collectively as Safety Codes permits). If Safety Codes permits are required, contact The Inspections Group Inc. to apply for inspections and permits.



Fines and penalties will apply if construction starts before the appropriate permits are obtained.

FIGURE 2 - DEVELOPMENT PERMIT APPLICATION PROCESS



113 **AGENCY REFERRALS**

Part of the internal review process includes referrals to agencies that may be affected by a proposed development. In our County, it is common for the Planning & Development department to seek input from organizations like Alberta Environment & Parks, Alberta Health Services, Alberta Transportation, CN Rail and Lac La Biche Gas Co-op.

Additional setback requirements or permit applications may be required as a result of these referrals.

114 **TECHNICAL REVIEW**

Every development permit application is reviewed to ensure site suitability, and to make sure the proposed development complies with local and provincial regulations. You may be asked to submit more information, including but not limited to the following:

- Real Property Report (a surveyor's illustration of your property's boundaries and physical features)
- Stormwater Management Plan
- Geotechnical Report (a report on site conditions and geography, including subsurface)
- Environmental Impact Assessment
- Flood Plain Impact Study

115 **LAND USE BYLAW AND STATUTORY PLAN AMENDMENTS**

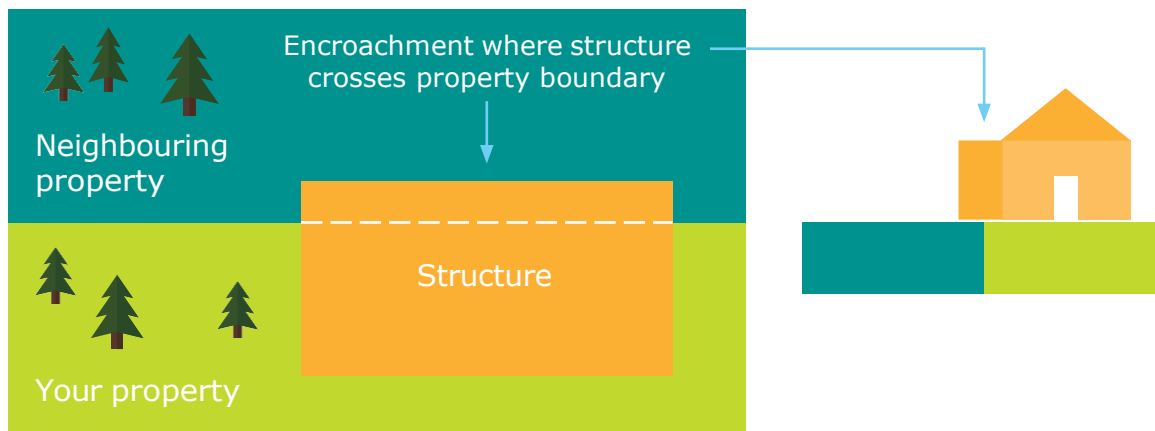
Sometimes proposed developments require amendments to the Land Use Bylaw or statutory plans in order to proceed. A statutory plan is an official planning document that has been approved by Council (e.g. Municipal Development Plan). In these cases, Planning & Development staff members prepare a report and recommendations for Council to consider. Council's decisions on these matters are final.

There is no legislated timeframe for Council to consider applications for amendments. Amendments require three "readings" from Council. Notice needs to be given and a public hearing must be held before all three readings are given. Depending on how complex the application is, additional time may be needed for staff members to gather information and prepare a report.

11.6 ENCROACHMENTS

An encroachment is a structure or any aspect of a development that occurs on someone else's property without permission. If an encroachment is identified; the County will discuss available options with affected landowners.

Figure 3 — Example of encroachment



If an encroachment occurs on County-owned property, or in any location where the affected landowners have not come to an agreement, then the County has the authority to order the encroachment to be removed.

11.7 DEVELOPMENT AGREEMENTS

As a condition of development or subdivision approval, the Development Authority may require a developer to enter into a development agreement with the County.

A development agreement may require the developer to do any or all of the following:

- Construct or pay for construction of a pedestrian walkway system (e.g. sidewalks) to serve that development, or to connect the development to an existing or proposed neighbouring development;
- Construct or pay for construction of parking facilities;
- Install or pay for installation of public utilities, other than telecommunications systems;
- Pay a security deposit to ensure the terms of the agreement are met.

11.8 **DEVELOPMENT APPEALS**

Any affected person can appeal a development decision to the Subdivision and Development Appeal Board (SDAB) within 21 days of receiving a notice of development approval or refusal.

A person can appeal the decision only if they believe the Land Use Bylaw regulations were relaxed or misinterpreted. The SDAB will hold a hearing within 30 days of receiving a notice of appeal and will provide a written decision no later than 15 days after the hearing.

A fee of \$200 is required to submit an appeal. The fee is fully refundable if the appeal is successful, and a portion of it is refundable if the appeal is withdrawn before a hearing has been scheduled and advertised.

SDAB decisions can be further appealed to the Alberta Court of Appeal on questions of law or jurisdiction.



Development permits are public information (minus the applicants' personal information). Anyone wishing to view a development permit may do so during the Planning & Development department's regular office hours, which are 8:30 a.m. to 12:30 p.m. and 1-4:30 p.m. Monday-Friday. Please call (780) 623-1747 in advance to make arrangements.



11.9 **REQUESTING A VARIANCE**

If a proposed development does not meet the exact requirements of the Land Use Bylaw, the Development Authority may consider granting a variance, which means relaxing the rules. For example, an applicant may want to build a structure closer to the property line than what is regulated for setbacks. The applicant needs to submit a variance request form, explaining why the variance is needed and why the normal regulations cannot be met.

Any application for development that proposes a variance greater than 100% of the applicable regulations will **NOT** be accepted.

11.10 REQUESTING A NON-PERMITTED LAND USE

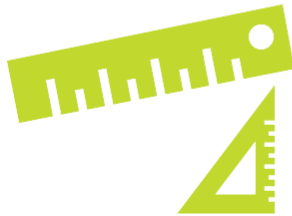
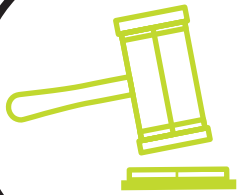
The Development Authority may refuse an application for development if the proposal is not listed in the Land Use Bylaw as a permitted **or** discretionary use in the parcel's district/zoning category.

In some cases where this occurs, the applicant may need to do one of the following before their development permit application will be considered:

- Apply for an amendment to the Land Use Bylaw to rezone the parcel in question;
- Apply for an amendment to the Land Use Bylaw to add a proposed use to the list of permitted or discretionary uses.



Amending the Land Use Bylaw is a complex administrative process. To comply with the MGA, proposed changes must be advertised and public hearings need to be held before County Council can approve amendments.



12.0 APPLYING FOR A PERMIT — HOW IT HAPPENS

A development permit is written approval from Lac La Biche County, confirming that a proposed development follows the rules of the Land Use Bylaw and other legislation.

Our development permit application form can be found on our website (laclabichecounty.com — visit the Planning & Development page, under the tab marked “Our Services,” to find, view and download it).

12.1 COMPLETED APPLICATION

An application for a development permit is not considered complete until all of the required information has been provided. You will be notified if your application is considered incomplete, and you will be told which parts are missing.

Your application must clearly state the proposed use or occupancy of all parts of the land and/or buildings to be developed.

A current certificate of title, validated within the last 30 days, is required along with the completed application form and applicable fees.

If an agent is applying for a development permit on behalf of a property owner, the agent and registered owner(s) must each sign the application.

Your application needs to include a site plan for the proposed development, showing the following:

- Locations of existing structures, including accessory buildings (e.g. detached garages and sheds), carports, fences, paved areas and major landscaped areas;
- Locations of roads, right-of-ways, easements, floodplains, tops of banks and water courses within or immediately next to the lot;
- Locations of oil and gas wells, pipelines and abandoned wells (this information can be found online at extmapviewer.aer.ca/AERAbandonedwells);
- Locations of existing and proposed on-site utilities (e.g. water and sewer lines);
- Measurements of setbacks from property lines (front, side and rear);
- North point;
- Project or contracting costs, along with applicable fees;
- Estimated construction start and end dates.

121 COMPLETED APPLICATION (CONTINUED)

Depending on the aspects of your project, you **may** need to provide additional information and/or documentation, such as:

- A roadside development permit from Alberta Transportation, if your property is within 800 metres of a provincial highway;
- A geotechnical report for a hazardous or unstable area, or if your property has a slope of more than 15%*;
- A biophysical assessment of the impact(s) of development on sensitive wildlife habitats or natural environments*;
- A hydrological report that determines the impact(s) of development on area watersheds or aquifers*;
- A reclamation plan for aggregate extraction or site grading and excavation;
- An environmental site assessment to determine potential contamination;
- A stormwater management plan (see below for more details);
- An environmental impact assessment for developments that may have significant environmental effects;
- A master sign plan for development proposed in commercial or industrial districts;
- A landscaping plan showing all proposed surface improvements;
- A flood plain impact study;

*Report must be prepared by a qualified professional registered in Alberta.

If a stormwater management plan is required, it must be approved by Alberta Environment & Parks and contain the following information:

- Topography;
- Affected watershed and development relating to it;
- Proposed minor drainage systems (ditches, catch basin locations, etc.);
- Proposed major drainage systems (to direct surface drainage);
- Proposed on-site detention and retention facilities (e.g. stormwater ponds) with locations and sizes;
- Locations of outflow/outfall structures; and
- Any related modelling and calculation information.



If a development will cover more than 600 square metres, then a review of on-site water supply requirements will be necessary later. See 15.0 for more details.



The County requires provincial approval for any proposed developments on Crown land.

122 RIGHT OF ENTRY

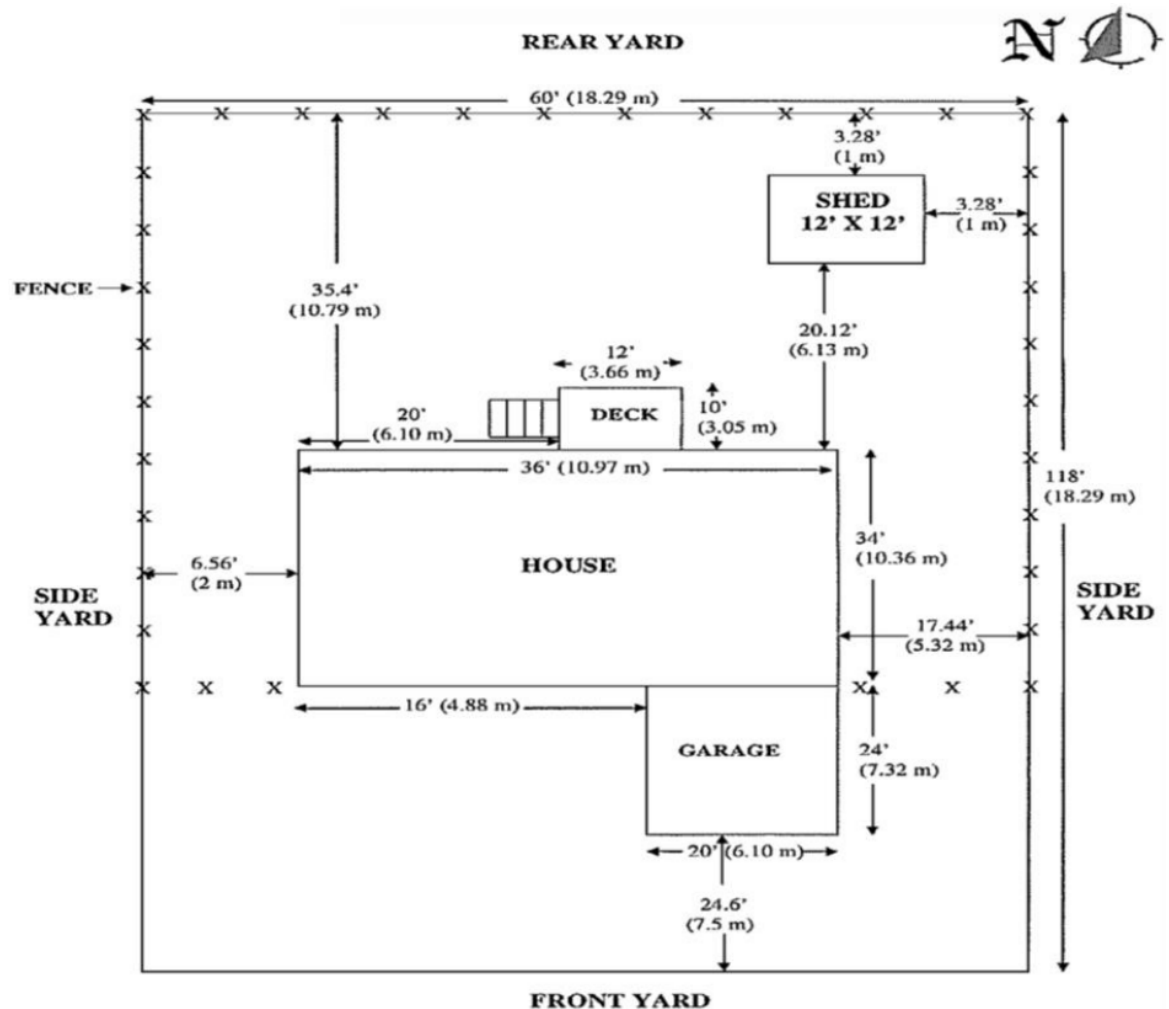
In some cases, the County may need to perform site inspections and take photographs of your parcel before making a decision about your application. Our staff members or appointees can't access your land for this purpose without your permission, so we ask that you fully complete the Right of Entry portion of the development permit application form.

123 SITE PLAN

A site plan needs to accompany your application. This is a bird's eye view of the proposed development that, among other purposes, shows the relationship between the development and other property features. See 12.1 for a list of site plan requirements.

The County's development application form includes a blank space in which you can draw your site plan.

Figure 4 — Site plan example



124 CERTIFICATE OF TITLE

One copy of your property's current certificate of title is required. You are able to obtain a copy of your certificate of title from your local Alberta Registries office or from Lac La Biche County Planning & Development office. There is a charge for the title search.

Please note that any persons whose names are listed on the certificate of title must sign the development permit application or provide their authorization of the proposed development in writing.

125 APPLICATION FEES

Your development application must be accompanied by the necessary fees, which are outlined in the table below. The application is not considered complete until fees are paid.

Table 1 — Development fee schedule

FEE DESCRIPTION	PRICE
Development Permit Fees	
<i>Residential Development</i>	
• Permitted use	\$150
• Discretionary use	\$300
<i>Non-Residential Development</i>	
• Permitted use	\$500
• Discretionary use	\$750
Change of use	\$100
Certificate of Title Search	\$15
Sign permit	\$100
Compliance certificate	\$50
Fencing over 2 metres (6.6 ft) tall in side and rear yards	\$100
Decks more than 0.6 metres (2 ft) above grade	\$100

Fees are doubled if work starts before a permit is issued.

12.6 WITHDRAWING A PERMIT APPLICATION

You can withdraw your application for a development permit at any time. This cancels the review process.

If you withdraw your application **before** the Development Authority makes a decision, 50% of the total application cost will be refunded. No refunds are given after the Development Authority has made a decision.

13.0 FINES, PENALTIES AND STOP ORDERS

Lac La Biche County is responsible for managing development within its boundaries. For this reason, no person may start, or cause to start, any development without the necessary approvals. Doing so may result in fines or stop orders.

Table 2 — Fines for developing without approval (Bylaw 18-030)

PROJECT VALUE	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION
Under \$49,999	\$500	\$1,000	\$2,000
\$50K to \$99,999	\$2,000	\$4,000	\$8,000
\$100K to \$199,999	\$3,000	\$6,000	\$10,000
\$200K to \$499,999	\$4,000	\$8,000	\$10,000
\$500K to \$999,999	\$5,000	\$9,000	\$10,000
Over \$1 million	\$10,000	\$10,000	\$10,000

Stop orders: If a development does not comply with the Land Use Bylaw, a development permit or subdivision approval, the Development Authority may order the property owner(s) or the person responsible to stop the development. The Development Authority can also ask that the development be demolished, removed or replaced. This is in accordance with Section 645 of the MGA.

Any notice like this that you receive from Lac La Biche County will set a time by which you must comply. If you receive this type of notice, you can appeal to the Subdivision and Development Appeal Board.

14.0 SAFETY CODES PERMITS

Depending on the scope of your project, you may need to obtain building, electrical, gas, plumbing and/or private sewage disposal system permits. These permits (which are collectively called Safety Codes permits) are **in addition** to your development permit.

Most developments will require building permits. However, you can only apply for Safety Codes permits after a development permit has been issued.

Lac La Biche County processes Safety Codes permits in-house.

14.1 WHAT TYPE OF WORK REQUIRES A PERMIT?

Alberta's *Safety Codes Act* requires that all contractors and property owners in the province obtain permits before working on structures covered by the Alberta Building Code, the Canadian Electrical Code, the Alberta Gas Code, the Alberta Plumbing Code or the Alberta Private Sewage Systems Standard of Practice.



Some Fire Code inspections and other Fire Code services are done by Lac La Biche County. See 15.0 for more details.

14.2 HOW CAN I GET A PERMIT?

You will find all permit applications on the **Lac La Biche County website**: <https://www.laclabichecounty.com/p/planning-and-development>

Or contact the Planning & Development department directly at:

email: planning.development@laclabichecounty.com

phone: 780-623-1747

Our Planning & Development team are available to assist with Safety Codes permit applications.

143 **BENEFITS OF OBTAINING A PERMIT**

Obtaining a permit means knowing your project will conform to the standards adopted under Alberta's *Safety Codes Act*. Inspections will be carried out by certified Safety Codes officers.

If permits are not obtained and work is done incorrectly, there may be extra repair costs in the future. If issues arise (like problems with improper wiring or structural integrity) and the proper permits were not obtained; your insurance company may not cover the costs of resolving them.

144 **RECEIVING A PERMIT**

Services you can expect to receive include:

- A permit and plans examination (if applicable);
- Inspection(s) by certified Safety Codes officers;
- Inspection report(s);
- Follow-up on deficiencies or unsafe conditions;
- Technical advice;
- A Permit Services Report at the project's end.

A building permit is non-transferable, and it expires if your project:

- Does not start within 90 days of the permit being issued;
- Is suspended or abandoned for 120 days or more; or
- Is for a seasonal-use residence and is suspended or abandoned for 240 days or more after starting.

If the permit's term has not expired, a permit issuer may, in writing and at the request of the permit holder, extend the permit for an additional period of time that both parties consider appropriate.

145 **WHO IS RESPONSIBLE FOR OBTAINING PERMITS?**

The owner of a property where a project is taking place must ensure that all necessary permits are obtained. If the property owner hires a contractor, then it is the contractor's responsibility to apply for permits for their work.

It is a good idea to keep copies of issued permits, inspections reports and Permit Services Reports.

15.0 FIRE CODE REQUIREMENTS AND SERVICES

Certain Lac La Biche County staff members have Fire Group A certification, meaning they can inspect buildings identified as having one of the following major occupancies/primary uses:

- Small assembly (occupancy load of 150 people or fewer)
- Residential
- Business and personal services
- Mercantile
- Low-hazard industrial (less than 600 square metres in area)

Our staff members are not certified to inspect buildings with fire alarm systems, standpipe systems, sprinkler systems or other automatic fire suppression systems (with the exception of commercial wet-chemical kitchen fire suppression systems).

If your development requires a Fire Code inspection that we cannot provide, please contact The Inspections Group Inc. (see 14.2 for contact information).



In order to meet Fire Code requirements, any building covering an area of more than 600 square metres must have a fire hydrant within 90 metres of its front entrance, or else it must have an on-site water supply for firefighting purposes (tank, pond, etc.). This “firefighting supply” must be separate from the building’s main or drinking water supply, to ensure water is available at all times.

For more information about Fire Code requirements and services, please contact Lac La Biche County’s Fire Services team by calling (780) 623-6774 or emailing fireservices@laclabichecounty.com.



16.0 FIRESMART PRACTICES

Wildfire is a reality in northern Alberta, and Lac La Biche County encourages all developers to complete their projects using FireSmart practices.

FireSmart is a series of preventative measures that reduce the risk of a wildfire starting and spreading on a property. These measures range from building with fire-resistant materials to keeping structures and vegetation spaced apart.

To learn more about FireSmart, visit wildfire.alberta.ca/firesmart.

Developers are encouraged (but not required) to submit FireSmart plans to Lac La Biche County for review. Please call (780) 623-6774 or email fireservices@laclabichecounty.com for more information.

FireSmart services provided by Lac La Biche County:

- 1. Free FireSmart assessments:** We will visit your property and recommend ways you can reduce wildfire risk. If one of our recommendations is to remove vegetation, we can also take care of the wood-chipping at no cost to you.
- 2. Sprinkler protection kits:** We sell sprinklers that can be mounted on building roofs and eaves, to keep structures wet and less likely to ignite if sparks from a nearby wildfire are coming onto your property.



17.0 GLOSSARY OF TERMS

Appeal: A formal request for a Development Authority's decision to be reviewed.

Building permit: A Safety Codes permit that ensures structures are built according to Alberta Building Code standards. Often required *in addition* to a development permit.

Development Authority: Lac La Biche County, or a County staff member, elected official or appointed official with authority to make development and land use decisions.

Development permit: Written approval for a proposed development. May be issued with or without conditions.

Discretionary use: A land use or type of development that *may* be allowed on a parcel, subject to further review, according to the County's Land Use Bylaw.

District: The zoning category to which a property belongs (e.g. Hamlet Residential, Country Residential, etc.). Each district has permitted and discretionary uses.

Encroachment: A structure or any aspect of a development that occurs on someone else's property without permission.

Permitted use: A land use or type of development that is allowed on a parcel, according to the County's Land Use Bylaw.

Safety Codes permit: Permits for building, electrical, gas, plumbing and private sewage disposal.

Setback: The minimum distance that must separate developments from property boundaries, water courses and other features.

Variance: A relaxation of the Land Use Bylaw's regulations. Only allowable in certain circumstances, and requests for variances greater than 100% will **NOT** be accepted.

FOR MORE INFORMATION

Please contact Lac La Biche County's Planning & Development department:

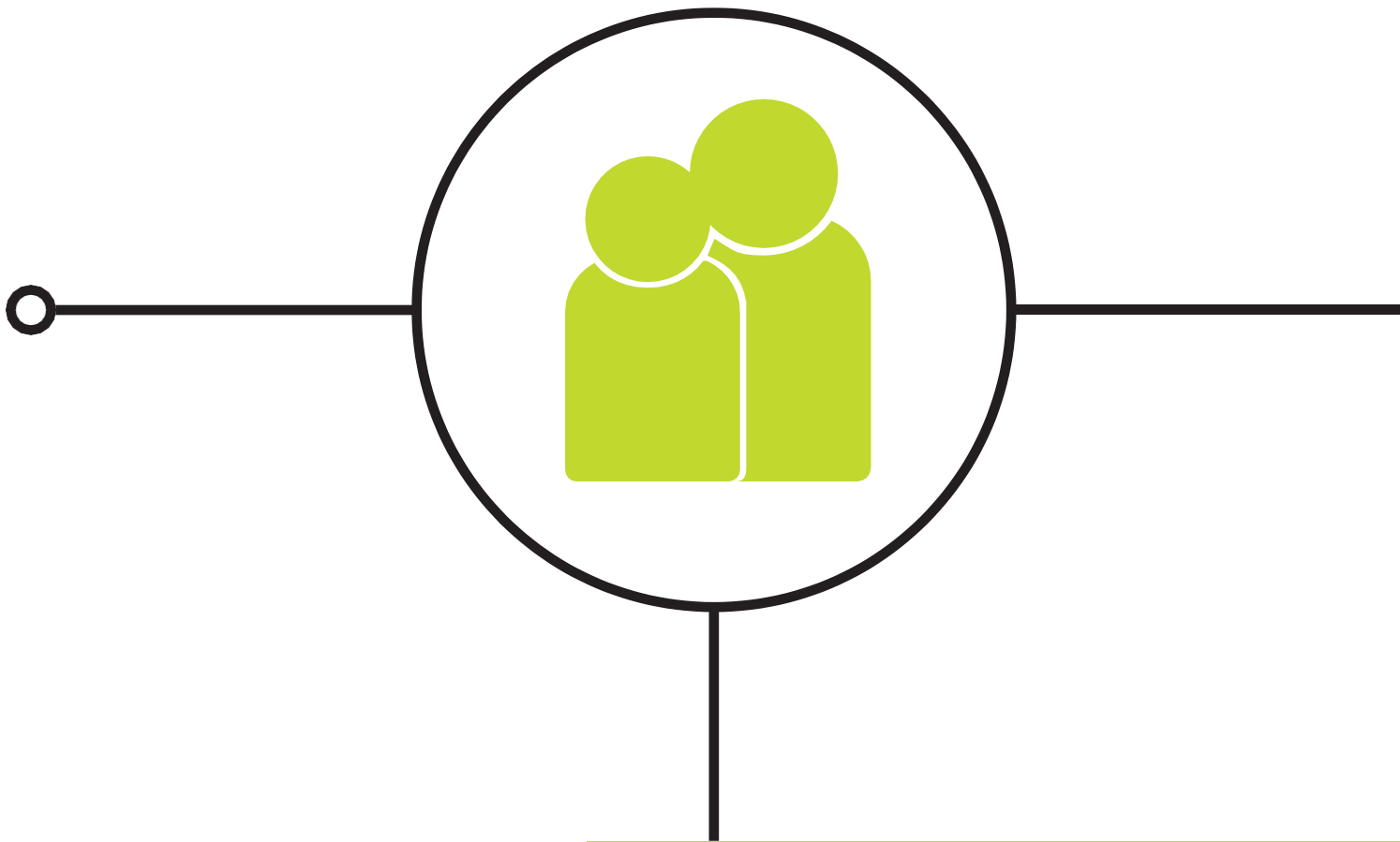
Email: planning.development@laclabichecounty.com

Phone: (780) 623-1747

Fax: (780) 623-2039

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Lac La Biche County
welcoming by nature.