

# APPLICATION FOR DEVELOPMENT PERMIT

TOWN OF ELK POINT  
 BOX 448  
 ELK POINT, ALBERTA, T0A 1A0

<b>APPLICATION NUMBER</b>	
<b>APPLICATION FEE</b> \$	<b>REC #</b>
<b>DEPOSIT FEE</b> \$	<b>REC #</b>

I/we hereby make application under the provisions of the Land Use Bylaw as amended to develop in accordance with the Plans and information submitted, and which form part of this application.

<b>LEGAL DESCRIPTION</b>	Lot	Block	Plan	Zoning	Civic Address	Tax File
<b>APPLICANT</b>	Name		Mailing Address	Postal Code	Bus. Phone	Res. Phone

**IF APPLICANT NOT OWNER- OWNERS NAME:**

<b>PROPOSED DEVELOPMENT</b>	<input type="checkbox"/> Permitted Use	<input type="checkbox"/> Discretionary Use	<input type="checkbox"/> Principal Use	<input type="checkbox"/> Accessory Use	<input type="checkbox"/> Sign
<input type="checkbox"/> Corner Lot	<b>PERMITS REQUIRED</b>				
<input type="checkbox"/> Interior Lot	<input type="checkbox"/> Building	<input type="checkbox"/> Electrical	<input type="checkbox"/> Gas	<input type="checkbox"/> Plumbing	
<input type="checkbox"/> Through Lot	Attached Site Plan	Lot Width	Lot Length	Lot Area	% Lot Occupied
Off-street Parking	Size of Spaces	No. of Spaces	Off-street Loading	Size of Spaces	No. of Spaces
For Accessory Uses Only	% Lot Occupied	Height of Building	Setback Side Lot	Setback Rear Lot	Setback Front Lot
Est. Cost Of Project:	Est. Date of Commencement:	Est. Date of Completion:			

Appeal notice: it is understood that if application is approved or refused by the development authority, it may be appealed to the Subdivision Development Appeal Board (SDAB). If such appeal is made within 14 days after the date notice of the decision was issued. It is further understood that the SDAB may confirm, revoke, or vary the development permit or any condition attached as a result of such an appeal being duly filed, and that any work undertaken prior to the expiry of the appeal period or the determination of the appeal by the SDAB, whichever case applies, is entirely at the applicant's risk.

**The applicant hereby confirms that the reverse of his/her copy of this form has been read and understood.**

**Permit Notice:** The applicant hereby agrees to perform and fulfill the following:

- a. That the applicant will provide blueprints of the building where necessary.
- b. That the applicant will comply with all conditions herein contained or attached and all Town Council resolutions pertaining thereto.
- c. That the applicant will execute such further agreements and provide such security by way of letters of credit or guarantees as required by the Town.
- d. That the applicant will pay all levies, fees, charges and expenses incurred by or levied by the Town relating to this development forthwith upon written demand by the Town.
- e. The Town of Elk Point may register a caveat pursuant to the provisions of Section 650 of the Municipal Government Act, as amended, to ensure the execution of this development permit and the fulfillment of all conditions required herein and required pursuant to the Land Use Bylaw, as amended, and any resolutions of Town Council pertaining thereto, and is hereby to be a condition upon which subdivision or development or construction of the said lands may proceed.
- f. That the applicant will provide within 14 days of commencement of the Development the name of the Accredited Agency or Safety Codes Officer contracted for the Development.
- g. That, if at the expiry of 12 months from the date that this permit was issued, the proposed development has not commenced or carried out with reasonable diligence, this permit shall be null and void.
- h. **That the applicant hire an accredited agency, meet the requirements of safety code system and provide the Town with all inspections, permits and letters of compliance. Deposit will be refunded when requirements met.**

SIGNATURE OF APPLICANT	DATE
	SIGNATURE OF DEVELOPMENT AUTHORITY
	DATE

**Note: This is not a building permit (such permit must be obtained separately).**

**FOR OFFICIAL USE ONLY**

<b>DECISION BY:</b>	Date of Decision	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved Subject to Conditions	<input type="checkbox"/> Refused
<input type="checkbox"/> Development Authority <input type="checkbox"/> MPC <input type="checkbox"/> Council	Conditions:			
	Development Authority	Date Notification Sent	Appeal Expiry Date	Date Advertised

<b>SUBDIVISION DEVELOPMENT APPEAL BOARD</b>			
Decision:			
Date of Hearing	File No.	SDAB Secretary	Appeal Fee Paid

## RIGHT OF APPEAL

SECTIONS 683 to 686 of the Municipal Government Act, 1994, amended, state:

- 683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless there has been issued a development permit in respect of it pursuant to the land use bylaw.
- 684 An application for a development permit is, at the option of the applicant, deemed to be refused if the decision of a development authority is not made within 40 days of receipt of the application, unless the applicant has entered into an agreement with the development authority to extend the 40 day period.
- 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 Development Appeal Board (SDAB).
- (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 SDAB.
- (3) Notwithstanding subsections (1) and (2), no appeal lies in respect to the issuance of a development permit for a permitted use unless the provisions of the land use bylaw were relaxed, varied or misinterpreted.
- 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.
- (1) The subdivision and development appeal board must hold an appeal hearing within 30 days of receipt of a notice of appeal.
- (2) 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 show as the owner of land on the assessment roll prepared under Part 9.

## IMPORTANT NOTICES

1. If you wish to appeal the decision of the Development Authority you may do so by completing a form available for the Secretary of the SDAB or alternatively by a submission in writing stating reasons for appeal. "Please not appeal expiry date on reverse side."
2. An appeal fee is required and must be submitted with the appeal notice. (Check with the secretary of the SDAB for fee schedule.) Failure to submit an appeal notice will result in an appeal being considered incomplete, and it will not be heard by the SDAB.
3. Where an application has been refused by the Development Authority or, an appeal, by the SDAB, the plans and supporting material forming part of the application will be held for a period of 30 days from the date of notice or final decision, after which they will be destroyed unless collected by the applicant.
4. A development permit expires if the development for which it was issued does not commence within 12 months from the date the development permit is issued. Subject to the preceding provision an extension may be granted for additional periods by the Development Authority, if after reviewing the application, the decision is still favorable and if the extension is requested in writing prior to the expiry date.
5. If an application for a development permit is refused by the development Authority or, an appeal, by the SDAB, another application for a development on the subject property and for the same or similar use may not be made for a least 6 months after the date of refusal or, if an appeal is made, from the date of the final determination of the appeal. Any subsequent application may be accepted by the Development Authority at any time if it is for a permitted use and complies in all respects with **Land Use Bylaw 574/96** as amended.
9. A development permit comes into effect  
(a) if it is issued by the Council with respect to a development in a Direct control District, upon the date of its issue,  
(b) if it is issued by the Development Authority, 14 days after notice is given, or  
(c) if an appeal is made, upon the date the appeal is finally determined.