

DEVELOPMENT PERMITS

Planning & Development | Town of High River

This information sheet provides basic information on the Development Permit application process. The information is a simplification of the Town's Land Use Bylaw. In the event of any discrepancy/omission, the Land Use Bylaw takes precedence.

Pre-application meetings are **required** for all development permits except for home occupations that comply with the Land Use Bylaw and non-dwelling residential accessory buildings that comply with the Land Use Bylaw. If you would like to book a pre-application meeting or would like to speak with the Planning & Development Services Division before submitting your application, please contact us at planning@highriver.ca or at 403.652.2110 and we would be pleased to assist you.

Staff reserve the discretion to require a pre-application meeting for a minor development permit application if staff believe that the complexity of the application warrants it.

Applicants must fill in the appropriate application form(s) (found at highriver.ca/development-permits) and submit all requirements (unless otherwise discussed with staff). **The Town does NOT accept incomplete applications.**

If any part of the application does not comply with the Land Use Bylaw (at the Town's discretion), you will be required to either revise the application or apply for a variance application (found at highriver.ca/development-permits) which costs \$175 as per the Rate Bylaw.

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Do I need a Development Permit?

- The regulations for what kinds of development require and do not require development permits differ from district to district, as well as the types of developments that are permitted and discretionary, so it is important to check the Land Use Bylaw and to consult with staff.
 - If you would like staff to review your basic proposal and land use regulations before you formally meet with staff to speak in more detail about your plans, please contact us at [403.652.2110](tel:403.652.2110) or at planning@highriver.ca and we would be pleased to assist you.
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Are there different scales of Development Permit applications?

“Minor” Development Permits

Types of Minor Developments Permits:

- **Intensification/Change of use** (if the site/building has already been developed and the use is listed as “discretionary”. Intensification/Change of use for permitted uses do not require Development Permits. The Town simply requests that you fill in an application for information tracking purposes)
- **One to two dwelling units – including additions/renovations** (which comply with the relevant Area Structure Plan if applicable and the relevant Subdivision/Development Agreement for the overall development if applicable)
- **Residential accessory buildings and additional dwelling units**
- **Non-residential renovations under 50 sq. m**
- **Major Home Occupations** (minor home occupations including Day Homes do not require a Development Permit at all)
- **Signage** (which complies with the Land Use Bylaw regulations)
- **Stripping and grading** (not affecting flood hazard areas as shown in Map 2 *Flood Hazard Overlay* of the Land Use Bylaw)

“Major” Development Permits

Types of “Major” Development Permits:

- **Three or more dwelling units**
- **Commercial, industrial, institutional, recreational & governmental developments** (except for renovations under 50 sq. m)
- A development type that is **neither a permitted or discretionary use** in the Land Use Bylaw for the particular land use district.

Flood mitigation requirements and restrictions

- Development that can be considered in the Restricted Development Area is very limited (such as non-intensive agriculture, landscaping, and fencing). See Map 2 *Flood Hazard Overlay* in the Land Use Bylaw.

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- **Restricted Development Area** refers to lands that were impacted by the 2013 flood and require mitigation measures to be constructed to withstand a flooding event of similar magnitude.
- All buildings must be adequately flood proofed to withstand the **Minimum Development Elevation** plus a minimum of 0.5 m of freeboard (i.e. the main floor elevation, main electrical panel, and all mechanical equipment)
- Development within the **Restricted Development Area** shall be protected to the Town's **Designated Design Event** plus 1 m of freeboard. Designated Design Event refers to the event of the 2013 flood and the requirement to be flood-proofed to withstand a flooding event with a minimum flow rate of 1,820 m³/s.

What does the Town look for during the review process?

- The Town's Land Use Bylaw includes two guiding principles. These guiding principles are very critical and the Town will use them to evaluate the suitability of your application.

Guiding Principles for evaluating applications

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A Pedestrian as the Universal Measure of Design:

- The Town of High River is to be designed based on a scale that is comfortable to people, encourages walking, accommodates a variety of functions, can change and adapt over time, and that will foster an environment that supports and reinforces the social aspects of the Town.

Stewardship through Sustainable Design:

- The Town, the community, and the development industry act as stewards for the High River of tomorrow. All development shall focus on long term quality over short term gains.

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- The Town also reviews the application to ensure that it complies with all of the Land Use Bylaw regulations as well as the policies in the Town Plan and in any other applicable policy documents (Area Structure Plans, Area Redevelopment Plans, Neighbourhood Outline Plans, etc. found here).
- If there are aspects of your proposal that do not comply with the Town's regulations/policies, staff will go through options with you. Options could include applying for a variance or applying to amend the applicable policy document.

The Development Permit Process

- The Municipal Government Act provides a municipality with 40 days to render a decision on a Development Permit application. The approximate timeline to issue a Development Permit for a permitted use is 2 weeks and 4 weeks for a discretionary use (from acceptance of application to end of appeal period). This timeline will increase if revisions are required. The Town requires 2 weeks to review every revision submission.
- For a step-by-step guide for a Large-Scale Commercial development from application to the completion of the engineering guarantee periods, see the final page of this handout. See link for an example of a complete application package for a Large-Scale Commercial development application.

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PRE-APPLICATION MEETING

- A pre-application meeting is **required** for all development permits **except** for home occupations that comply with the Land Use Bylaw, and non-dwelling residential accessory buildings that comply with the Land Use Bylaw.
- Pre-application meetings are an opportunity to discuss the application with representatives from all relevant departments. They are an effective and efficient way to catch any “red flags” and generally result in a more efficient application processing time. We will also go through the Town’s Guiding Principles (noted above) with respect to your application.
- Please contact staff at 403.652.2110 or at planning@highriver.ca to book a pre-application meeting/discuss your proposal. Please give us 2-3 business days to set up the meeting.
- We will also go through the Town’s Guiding Principles (noted on the previous page) with respect to your application.

APPLICATION

- Application fees for Development Permits vary depending on scope. Examples include:
 - New multi-family: \$300
 - New non-residential: \$600 + \$0.75 per sq. m of development area.
- See [Rate Bylaw](#) for full fee schedule.
- The Application Form must be submitted with all required documentation. Staff will review the requirements with you at the pre-application meeting.

APPLICATION COMPLETENESS MEETING

- If you had a pre-application meeting, please contact your file manager and let them know that you are ready to apply. They will set up a meeting with you to review the application before it is accepted.
- If you did not have a pre-application, please contact us at planning@highriver.ca or at 403.652.2110 to set up an application completeness meeting for you.

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TOWN REVIEW

- The Municipal Government Act provides the Town with a 40 day period to render a decision upon receiving a complete application.
- Planning staff circulate to internal departments for their comments. They are given 2 weeks to provide comments.
- External agencies are only circulated on major development permit applications. They are given 2 weeks to provide comments.
- You can see the progress being made on your application [here](#). This webpage shows the progress of all current applications and is updated every week
- You will be provided with the comments received through a formally compiled letter after the circulation period is complete.
- If revisions are required, you will need to resubmit applicable drawings in the same size and format as you submitted them in your original application. These comments may become conditions of your permit.
- You will have the opportunity to review these conditions and let the Town know if you have any comments or concerns before the Town issues the decision/permit.
- These comments may include requests for revisions.
- You will be provided with any comments received through a formally compiled letter.
- You will be asked to advise the Town if you have any comments/concerns or require any clarification.

TOWN DECISION

- After receiving satisfactory revisions (if applicable), the Town issues its decision on the application, known as the “Notice of Decision” (support with conditions or refusal with reasons).
- The decision includes conditions. If the Town advised you that you require a Development Agreement with securities, the Notice of Decision will include this condition.
- If you disagree with the Town’s decision (although typically all issues will have been worked though before the Notice of Decision was issued), you have the opportunity to file an appeal (see “Appeals by Applicant”) within 21 days from the date the Notice of Decision was issued.

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PUBLIC REVIEW

- If the use is **permitted**, there is no opportunity for public appeal.
- If the use is **discretionary** and the Town supports the application, the Town posts a notice on the property to notify the public of the application, the Town's decision, and conditions (if applicable) for 21 days.
- Any member of the public can appeal a decision on a **discretionary** use (see "Appeals by Public")

APPEALS (BY APPLICANT)

- You can appeal the Town's decision on your application by submitting the Notice of Appeal through the Legislative Services Department via legislativeservices@highriver.ca. You must submit your appeal application within 21 days of the date that the Notice of Decision was issued.
- The appeal fee is \$300 (as per Rate Bylaw)
- Your hearing will take place within 30 days of your appeal being filed. You will be notified in writing of your hearing date at least 5 days prior to the hearing date.

APPEALS (BY PUBLIC)

- The public can appeal the decision on a **discretionary** use by submitting the Notice of Appeal through the Legislative Services Department via legislativeservices@highriver.ca. The public appeal must be submitted within 21 days of the Notice of Decision.
- The appeal fee is \$300 (as per Rate Bylaw)
The hearing will take place within 30 days of the appeal being filed. You will be notified in writing of the hearing date at least 5 days prior to the hearing date.

ISSUANCE OF DEVELOPMENT PERMIT AND DEVELOPMENT AGREEMENT (IF NECESSARY)

- The Town issues you the Development Permit.
- There may have been some "prior to release" conditions attached to the Notice of Decision. The developer must satisfy those conditions before the Town issues the development permit.
- For example, a common condition is for the Developer to enter into a Development Agreement with the Town [see link for template]. A Development Agreement is necessary if the Developer is proposing any work that will affect the Town's property (e.g. servicing infrastructure, storm water management infrastructure).