

Variance Application

Planning & Development | Town of High River

This information sheet provides basic information on the Variance 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 variance development permits. 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) including the **Variance** application form (found at highriver.ca/development-permits) and submit all requirements (unless otherwise discussed with staff). **The Town does NOT accept incomplete applications.**

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](#)).

The Variance Permit Process

The approximate timeline to issue a Variance Development Permit is 5 weeks (from acceptance of application to end of appeal period).

PRE-APPLICATION MEETING

- Pre-application meetings are **required** for variance applications.
- 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.

APPLICATION

- Application Fee: \$175 (as per [Rate Bylaw](#)).
- Variance application form (found at highriver.ca/development-permits) must be submitted with all required documentation. Staff will review the requirements with you at the pre-application meeting.

APPLICATION COMPLETENESS 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 to ensure no required elements are missing as the Town does not accept incomplete applications.

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TOWN REVIEW

- Planning staff circulate to internal departments for their comments. They are given 1 to 2 weeks to provide comments at the discretion of Planning & Development staff based on the complexity of the application.
- 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.

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 through 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

- A variance application is required for a **permitted** use with a relaxation to the [Land Use Bylaw](#) and for a **discretionary** use supported by the Town.
- There is a 21 day public appeal period. If the variance application is supported by the Town, the Town posts a notice on the property to notify the public of the application, the Town's decision, and conditions (if any).
- Any member of the public can appeal the Town's decision on a variance application (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 Town's decision on a variance application 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.

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**ISSUANCE OF
DEVELOPMENT
PERMIT
AND
DEVELOPMENT
AGREEMENT
(IF NECESSARY)**

- If there are no public appeals (in the case of a variance application), 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).

