

OTHER PERMITTING AGENCIES

Alberta Forest Service – Fire Permits 780-778-7272 or 778-7153
Alberta Fire Codes - Whitecourt Fire Department (Alberta Fire Codes Inspector) 780-778-2342
Petroleum Tank Management Association of Alberta (PTMAA) 1-866-222-8265
Alberta Transportation – Road Side Development Permit - Edson – 780-723-8250
Alberta Health Services – 780-778-5540
Alberta Gaming & Liquor Commission – 1-800-272-8876
TELUS Pre-wire Offices 1-888-530-6900

Other services you may require:

This list is intended to be used as a guide only. Woodlands County does not endorse any particular business or agency.

***SOIL CLASSIFICATION TESTING LABS**

Caro Analytical Services – 780-489-9100
Kaizen Lab – 1-888-525-5902
Agat Laboratories – 1-866-764-7554
Maxxam Analytics – 1-800-386-7247
Exova/Bodycote Lab – 780-438-5522

***WATER WELL DRILLERS**

Access Water Wells – Edson – 780-723-2242
Westar Drilling Ltd. – Mayerthorpe – 780-785-3243
Big Iron Drilling – Sangudo – 780-785-2299
Morrill's Water Well Drilling – Drayton Valley – 780-542-5089
180 Water Well Drilling – Red Deer County – 403-346-3317

***WASTEWATER (SEPTIC) INSTALLERS**

Ronny St. Contracting – Whitecourt - 780-778-0092 or 780-778-5629
PAS Contracting - Whitecourt - 780-778-2887
Just Diggin' Contracting – Mayerthorpe - 780-786-4039

WOODLANDS COUNTY

DEVELOPMENT PERMIT APPLICATION – PROCEDURES

(For more detailed information, such as minimum setback requirements, please refer to the Woodlands County Land Use Bylaw and appropriate Land Use District or contact a Development Officer)

DEVELOPMENT PERMIT REQUIREMENT

No development, other than that set out in the Land Use Bylaw as not requiring a development permit, shall be undertaken within Woodlands County unless a development permit has been issued and all applicable regulations in the Land Use Order have been complied with. ***Anyone proceeding with a development without a valid development permit does so at their own risk and is subject to the penalties and fines outlined by the Land Use Bylaw and the Municipal Government Act.***

DEVELOPMENT PERMIT APPLICATIONS

An application for a development permit shall be made to the Development Officer on the application provided by Woodlands County;

- a) COMPLETE AND SIGN “Development Application” by the registered owner or authorized agent of the registered owner of the property.
- b) state the proposed buildings, use or occupancy of the land or buildings;
- c) state the estimated constructions costs, commencement and completion dates
- d) **SITE DIAGRAM SHALL** include a sketch showing relevant details including any or all of the following:
 - I) legal description of the property;
 - II) North point;
 - III) Property lines;
 - IV) Front, side and rear yard setbacks from property lines;
 - V) Location and dimensions of property and existing structures;
 - VI) Location of existing and proposed municipal and private local improvements including fences, driveways, power lines, septic tanks and field disposal systems, and major landscaped areas including buffering and screening areas where provided;
 - VII) Access to and from the site, vehicle parking and provision for off street loading;
 - VIII) Topography of the site, including treed areas, creeks, ravines, low lying areas and slopes etc.

Once your development permit application is complete; mail it, or deliver it, along with the supportive documents and the application fee, payable to Woodlands County, to the following address:

Box 60, #1 Woodlands Lane, Whitecourt, AB T7S 1N3

THE DEVELOPMENT PERMIT PROCESS

- a) The applicant submits the application to the Development Officer along with all of the required information.
- b) The Development Officer reviews the application and conducts a site inspection.
- c) The Development Officer or the Municipal Planning Commission then decides on the application which they may;
 - I) approve without conditions; or
 - II) approve with conditions;
 - III) refuse, or
 - IV) defer, making a decision pending further investigation or information.

The Development Officer of Woodlands County has up to 40 days, from the date the application is made, to make a decision. If the decision is not made within 40 days, the applicant may deem the application to be refused.

- a) The applicant is notified of the decision in writing by way of a Notice of Decision;
 - I) If the application is approved, the Development Officer must immediately publish a notice in a newspaper circulating in the county stating the location of the property for which the application has been made and the use approved. *The development permit does not come into effect until 14 days after the Notice of Decision has been published, subject to any appeals.* If an appeal is received within 14 days from publication of the decision, the permit will not come into effect until the appeal has been determined.
 - II) If the application is refused the applicant may appeal to the Development Appeal Board within 14 days after publication of the Notice of Decision.

ADDITIONAL DEVELOPMENT FEES:

Subdivisions with Municipal water and/or sewer services may have additional development related fees as part of the development approval. Such as; offsite levies, Intermunicipal Agreement fees or service connection fees. Please contact the development department for further information prior to development.

MINIMUM SETBACK REQUIREMENTS: PER THE COUNTRY RESIDENTIAL and AGRICULTURAL DISTRICTS OF THE WOODLANDS COUNTY LAND USE BYLAW.

(Note: required distances from roads are from the property line and not from the middle of the road right of way.)

- 1) Minimum front yard – 10.7m (35.10ft) from the front yard property line adjacent to an Internal Subdivision Road, 40m (131ft) from the right of way of any Main County Road, Secondary Road or Highway.
- 2) Minimum side yard – 6.0m (19.69ft), except for a corner lot where the side yard requirement shall be at least 40m (131ft) for a side bounded by the right of way of any adjoining County Road, secondary road or Highway.
- 3) Minimum rear yard – 7.6m (24.93ft), except where the rear yard is bounded by the right of way of any adjoining County Road, secondary road or highway, in which case, the minimum setback shall be 40m (131ft) from the road right of way.
- 4) 30m from any banks with more than a 30% grade.
- 5) 30m from any water course.

GARAGES, ACCESSORY BUILDINGS AND STRUCTURES

- 1) In all districts, except for the Agricultural Districts, accessory buildings shall not exceed one storey nor 8.0m (26.25 ft) in height from the inside wall grade to the top of the roof. Within the Hamlets the height shall not exceed 5.0m (16.40 ft).
- 2) Detached garages, carports and accessory buildings shall be located no closer than the front line of the principal building.
- 3) Accessory buildings shall be constructed after the principal dwelling has been constructed.

INFORMATION SHEET

RESTRICTIVE COVENANTS AND ENFORCEMENT

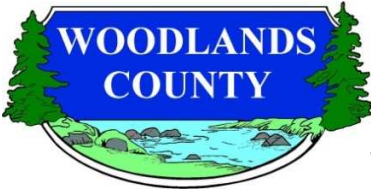
What is a restrictive covenant and how is it enforceable?

- A restrictive covenant is a document that a developer, landowner or a municipality may register against a land title under the encumbrances, liens and interests.
- A restrictive covenant serves as a notice to future landowners, and generally outlines an interest in land to control use, development or to indicate concerns or issues or to ensure consistency related to a parcel.
- A restrictive covenant can operate outside of and in some cases in addition to municipal policies and land use planning documents (i.e. a municipalities Land Use Bylaw).
- A registered restrictive covenant runs with the land and is binding on future buyers/owners of a property.
- A restrictive covenant must have four aspects written into the document to be enforceable:
 1. **Dominant and Servient Tenement** must be identified (in other words there must be a parcel of land which is subject to a restriction and a parcel of land which benefits from the restriction).
 2. **Negative obligation** must be present (in other words it must be an item that is prohibiting something as opposed to a positive act).
 3. **Touch and Concern Land** The restrictive covenant must identify concern or benefit to the land, that is it must be a restriction that enhances the use or value of the land. (ie building schemes, no mobile homes or manufactured homes allowed or a minimum square footage allowed, etc.)
 4. **Annexed to Lands** means that the restrictive covenant binds the land and all subsequent owners by implication of an agreement or by express words.
- A restrictive covenant is only enforceable by the parties to the restrictive covenant, namely the owners of the land affected by obtaining a court order to stop a use or development that goes against the restrictive covenant.
- A restrictive covenant and the outlined obligation and/or benefit cannot be enforced by persons that do not have a registered interest in the land subject to the covenant.
- For a municipality to have authority to enforce a restrictive covenant they need to be identified in the covenant and need to be an owner of lands identified within the covenant or be the party that has registered the covenant and benefits by the restriction.
- Potential purchasers should be aware that in some instances restrictive covenants are more restrictive than a municipality's bylaws. It should be noted that if a covenant conflicts with a municipalities land use bylaw or statutory plan, that the Courts could set aside a requirement of the restrictive covenant.

Note: When purchasing a property, review and verify any encumbrances, liens and interests on a property with your solicitor to ensure your intended use of the property won't have unpleasant complications.

References

Environmental Planning: Are Indemnities and Other Contractual Planning Tools a Help or Hindrance? By Lorne Randa, Brownlee LLP
Applied Land Use Planning (ALUP) Program – Module 8 Environmentally Sensitive Lands – Brownlee LLP
Alberta Land Titles – Procedures Manual – Subject Restrictive Covenants
Calgary Real Estate Review by Mike Fotiou, Associate Broker with First Place Realty – What are Restrictive Covenants?



Development Permit Application

Planning and Development Services

Woodlands County, #1 Woodlands Lane, Box 60, Whitecourt, AB, T7S 1N3
 Phone 780-778-8400 Fax 780-778-8402

Date Received Stamp

I/We hereby make application, under the provisions of the Land Use Bylaw, for a Development Permit in accordance with the plans & supporting information submitted herewith & forming part of this application.

I/We understand that this application will not be accepted without the following: (a) Application fee (b) site plan sketch that includes all relevant detail to the proposed development (eg.: proposed and existing structures, property lines, setbacks from property lines, creeks/ravines, parking and vehicle access, building plans, etc.)

Application Number: _____ **Deemed Complete:** _____
 (For administrative use)

| APPLICATION INFORMATION | | | COMPLETE IF DIFFERENT FROM APPLICANT | | |
|-------------------------|------------------|------------------|--------------------------------------|------------------|------------------|
| NAME OF APPLICANT | | | NAME OF REGISTERED LAND OWNER | | |
| MAILING ADDRESS | | CITY/TOWN | MAILING ADDRESS | | CITY/TOWN |
| POSTAL CODE | TELEPHONE (RES.) | (BUS.) or (CELL) | POSTAL CODE | TELEPHONE (RES.) | (BUS.) or (CELL) |
| E-MAIL ADDRESS | | | E-MAIL ADDRESS | | |

LAND INFORMATION

Legal description and size of parcel:

| QTR/LSD | SEC. | TWP. | RGE. | MER. | Total Acres/Ha | REGISTERED PLAN NO. | BLOCK | LOT |
|---------|------|------|------|------|----------------|---------------------|-------|-----|
| | | | | | | | | |

Describe **EXISTING** buildings and use of the land:

DEVELOPMENT INFORMATION

Describe **PROPOSED** buildings and/or use of the land:

Check any proposed use(s) not identified above: Home Occupation Dwelling Unit(s) Accessory structure(s)/use(s) Signs
 Public use(s)/Utilities Culvert(s)/Road Access Points Commercial or industrial structure(s)/use(s) Other (Specify) _____

Indicate the proposed setbacks from the property lines:

| | | | |
|----------------------------------|---------------------------------|-------------------------------------|-------------------------------------|
| Front Yard: _____ ft. _____ m | Rear Yard: _____ ft. _____ m | Side Yard (1): _____ ft. _____ m | Side Yard (2): _____ ft. _____ m |
|----------------------------------|---------------------------------|-------------------------------------|-------------------------------------|

Estimate the project:

| | | |
|----------------------|--------------------|----------------------------|
| A. Commencement Date | B. Completion Date | C. Construction Cost \$ |
|----------------------|--------------------|----------------------------|

DECLARATION

I/WE HEREBY DECLARE THAT THE ABOVE INFORMATION IS, TO THE BEST OF MY/OUR KNOWLEDGE, FACTUAL AND CORRECT.

DATE _____ SIGNATURE OF APPLICANT _____

NOTE: Signature of Registered Land Owner Required IF different from Applicant

DATE _____ SIGNATURE OF REGISTERED LAND OWNER _____

FOR ADMINISTRATION USE ONLY

ZONING: _____ ROLL NUMBER: _____ Emergency Address: _____

FEE ENCLOSED: YES _____ NO _____ AMOUNT: \$ _____ RECEIPT NO.: _____

DEVELOPMENT PERMIT SITE PLAN

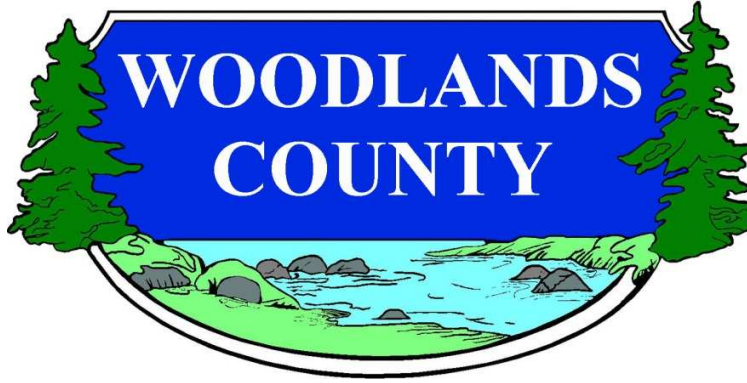


INFORMATION CHECK LIST

- Location of existing buildings: include setback distances from property lines
- Location of proposed buildings
- Location of public roads & highways
- Location of driveway/access
- Lakes, sloughs, bush areas, steep slopes

LEGAL LOCATION: _____

APPLICANT: _____



RIGHT OF ENTRY FORM

FOR AN AUTHORIZED PERSON OF WOODLANDS COUNTY TO GAIN ENTRY FOR THE PURPOSE OF A SITE INSPECTION OF THE LAND AFFECTED BY THE PROPOSED DEVELOPMENT APPLICATION ATTACHED.

I hereby give consent for an authorized person of WOODLANDS COUNTY to enter upon the land, that is subject to a Development Application, for the purposes of making a site inspection in order to evaluate the proposed development.

LEGAL DESCRIPTION OF LAND: _____
(Legal Land Location and/or Lot, Block, Plan)

EMERGENCY ADDRESS: _____
(blue sign at gate)

OWNERS NAME: _____

PHONE #: _____

OR AUTHORIZED AGENT: _____

SIGNED: _____

DATE: _____

The personal information on these forms is being collected for the purpose of processing this development application under the authority of the Freedom of Information and Protection of Privacy Act (FOIP) (RSA 2000, cF-25, s. 39 (1) (a) (b) (c), (4)). If you have any questions, please contact Woodlands County FOIP Coordinator at 780-778-8400.