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NOTICE OF DECISION - LAND USE BYLAW #1348-24

Development Permit Application # _____

Applicant: _____

Mailing Address: _____

Property Legal Location: _____

Property Rural Address: _____

Land Use District: _____

Description of Development: _____

Permitted Use: _____ Discretionary Use: _____ Variance: _____

The development as proposed in DP # _____ is hereby:

APPROVED

APPROVED subject to the following conditions:

*see attached Schedule 'A'

REFUSED for the following reasons:

*see attached Schedule 'A'

A Development Permit has been issued in accordance with this notice but shall not be valid until **twenty-two (22) days** after the date of this Notice of Decision.

Date: _____

Signed: 
Development Authority

THIS DOES NOT CONSTITUTE A DEVELOPMENT PERMIT

In accordance with the Municipal Government Act (MGA), RSA 2000, Chapter M-26 as amended, the decision concerning this development permit application may be appealed to the Land and Property Rights Tribunal (LPRT) by the applicant or any party considering themselves to be affected by the decision. Please submit your appeal to:

Land and Property Rights Tribunal
2nd Floor, Summerside Business Centre
1229-91 Street SW
Edmonton, AB T6X 1E9
Ph: (780) 427-4864

"SCHEDULE A"

This Schedule "A" forms part of, and is valid only, if attached to the Notice of Decision for Development Permit # 2026-38.

The following conditions apply:

1. That the applicant/owner shall ensure that the proposed Single Detached Dwelling shall be located and developed in strict conformance with the plans and information submitted with this application and the applicable provisions of Land Use Bylaw #1348-24, **with emphasis on the proposed dwelling being located no closer than 15 m (49.2 ft.) from the western boundary of Rge Rd 92 and that the proposed dwelling maintains a minimum distance of 20 m (65.6 ft.) from the bottom of a slope where the grade exceeds 15%.**
2. **That the applicant/owner apply for development permits for the circled buildings as indicated on the attached Schedule "B".**
3. That the applicant/owner remove the existing Seasonal Dwelling and garden shed to the satisfaction of the Development Authority by June 25, 2028.
4. Alternative to condition #3, above, that the applicant/owner apply for development permits for the Seasonal Dwelling and garden shed to ensure conformance with the Land Use Bylaw #1348-24.
5. The applicant/owner acknowledges and agrees that the existing portion of Rge Rd 92 providing access to the subject lands is not constructed or maintained to an all-weather municipal road standard. The applicant/owner further acknowledges and understands that the Municipality is under no obligation to upgrade, construct, or improve Rge Rd 92 to an all-weather standard as a result of this development approval.
6. The applicant/owner agrees that any future upgrades, improvements, or construction required to bring Rge Rd 92 to an all-weather County standard, whether deemed necessary for access, safety, or further development, shall be undertaken solely at the owner's expense. This obligation shall extend to and be binding upon all future owners, successors, and assigns of the subject lands.
7. The applicant/owner shall indemnify and hold harmless the Municipality from any claims, demands, or liabilities arising from the condition, use, or lack of upgrading of Rge Rd 92.
8. That prior to construction the applicant/owner is responsible for identifying any soil related issues that may affect the proposed dwelling, and if any soil related issues are identified the applicant/owner shall provide to the County in writing the mitigation measures proposed to be used to ensure a safe and structurally sound building site.
9. That the proposed dwelling shall be developed with positive drainage and so that any surface water and downspouts are directed away from the building.
10. That prior to commencement of any excavation or construction activities, the applicant/owner shall be responsible for conducting all required utility locating to Utility Safety Partners.

11. That failing to conform to the aforementioned conditions would render this permit null and void.

Furthermore, the applicant is advised:

1. That approval of this application does not excuse the applicant from ascertaining and complying with the requirements of other municipal bylaws, easements, environmental reserve easements, covenants, conservation agreements, development agreements, or Provincial or Federal statutes, regulations and/or standards or codes of practice.
2. **That Development Permit approval from the County of Minburn does not constitute approval for the construction/placement of the proposed development on the subject lot under the Alberta Safety Codes Act and associated Regulations. In this regard, the necessary Safety Code Permit approvals (which include a Building Permit, Electrical Permit, Gas Permit, Plumbing Permit, and Private Sewage Permit) are required for the construction/placement of the subject development and removal of the old dwellings. Please contact the Inspections Group at 1-866-554-5048 for all Safety Code Permit applications and inspection inquiries.**
3. That the applicant/owner shall ensure that the proposed private sewage disposal system is installed, operated, maintained and/or upgraded in conformance with any required approvals/permits and all applicable legislation. Please contact the Inspections Group at 1-866-554-5048 with regards to any questions regarding the proposed private sewage system.
4. That this development permit is not valid if it is suspended or cancelled, or if an appeal of the approval is made to the Land and Property Rights Tribunal (LPRT) in accordance with the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended, or if the development that is the subject of the development permit is not commenced within twelve (12) months from the date of the issuance of the development permit or after that time if in the opinion of the Development Authority the development is not carried out with reasonable diligence.
5. The proposed development may be affected by a permanent, naturally occurring body of water or watercourse. The Province has an interest in the Crown ownership of Provincial waterbodies/or Public Land boundaries in Alberta. **Development or water diversion may not occur in waterbodies including wetlands, watercourses, or Public Lands without prior consultation and approval from Alberta Environment and Protected Areas.** If you have any questions about development on or near water bodies, watercourses, or public land please contact Alberta Environment and Protective Areas prior to undertaking any activity within or near the wetland.
6. That development of the proposed development will result in a change in the assessment and taxes for the subject property. Please contact Municipal Assessment Services at 780-939-3310 with regards to any questions about assessment.
7. That a separate development permit approval and the necessary safety code permit approvals are required for any proposed future development (i.e. Shipping Container, Accessory Building, change in use, etc.). Please contact the County of Minburn Planning Department at 780-632-2082 or planning@minburncounty.ab.ca for further information.

Schedule "B" - Unpermitted Buildings on SE 15-51-9-W4M



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