Who’s in the room?

- Building Safety Codes Officers (SCO)
- Fire SCO
- Gas SCO
- Plumbing & Private Sewage SCO
- Electrical SCO
- QMP Managers
- Service Providers
Overview

- Overview
- Why plan?
- Environmental Risks
- Planning tools
- Statutory plans
- Land use bylaw
- What is development?
- Development issue: Jurisdiction
- Telecommunications (Cell Towers)
- Compliance Certificates
- Development Permit
- Questions
- Resources
Why Plan?

Risk considerations

• Economic
• Social
• Environmental
Potential Risk Considerations when Planning

Two general types of risk that can affect suitability of land for development or subdivision:

- Physical environment
- Impacts resulting from human activities
Potential Risk Considerations

Physical (natural) Environment:
- Subsistence and unstable slopes risks
- Flood risks in floodways and flood fringe
- Erosion risks - beds and shores of bodies of water
- Impacts to riparian areas and other environmentally sensitive areas
- Availability of potable water supply
- Groundwater
- Aggregate resources
Potential Risk Considerations

Current or past human activities:

- Oil & gas facilities, pipelines and wells
- Solid waste management facilities
- Waste water facilities
- Subsidence related to undermining issues
- Private sewage disposal systems
- Agricultural operations i.e., CFOs
- Contaminated sites
- Gravel pits
- Registered historical resources or sites
- Incompatible adjacent uses
Planning tools

Provincial Legislative Framework
• ALSA - Land Use Framework and Regional Plans
• Municipal Government Act (MGA)
• Subdivision and Development Regulation (S&D Reg.)
• Provincial Legislation and Policies
  • Environmental Protection and Enhancement Act
  • Water Act
  • Highway Development and Protection Act
  • Historical Resources Act
  • Land Use Policies

Municipal Legislative Framework
• Intermunicipal Development Plan (IDP)
• Municipal Development Plan (MDP)
• Area Structure Plan (ASP)
• Area Redevelopment Plan (ARP)
• Land Use Bylaw (LUB)
Statutory Plans
What is a statutory plan?
• a legal document created under MGA
• a vision for a defined area and a set of policies that function to ensure that the vision is realized.

Types:
• Intermunicipal Development Plan (s. 631)
• Municipal Development Plan (s. 632)
  – 3500 + (proposed to be required for all municipalities regardless of population)
  – Direct Control Districts
• Area Structure Plan (s. 633)
• Area Redevelopment Plan (s. 634)
Land Use Bylaw

All municipalities must have a land use bylaw.

Purposes of a LUB:

• achieve an orderly, economical and beneficial development, use of land, and pattern of human settlement;

• maintain and improve the quality of the physical environment; and

• implement the policies of the statutory plans.
Land Use Bylaw

Components:

- Definitions
- Districting/zoning
- Uses – permitted or discretionary/similar use provisions
- Exemptions
- Mapping
- Standards and regulations
- Development permit conditions
- Notifications for development permits
Land Use Bylaw

Municipality ABC
Land Use Bylaw Map
What is Development?

What does development mean? MGA s. 616(d)

<table>
<thead>
<tr>
<th>Excavation or stockpile</th>
<th>Construction of building</th>
<th>Change of use</th>
<th>Change in intensity of use</th>
</tr>
</thead>
</table>

What is a Development Permit, and when is it required?
Development Issue: Jurisdiction

Federal:
- Telecommunications
- National railways
- Aeronautics

Provincial agencies (s. 618, 618.1, 619):
- Highway or road
- Well or battery
- Pipelines
- Metis settlements
- Designated crown land
- Confined feeding operations
- Approvals by provincial bodies (i.e., NRCB, AER)
TELECOMMUNICATIONS (CELL TOWERS)

- Local municipalities are not the approving authority for the placement of telecommunications antenna structures.
- Innovation, Science and Economic Development (formerly Industry Canada) is the approving authority pursuant to the Radiocommunication ACT.
- Local municipalities may provide a letter of support or non-support to Innovation, Science and Economic Development. However, local municipalities cannot prevent a proponent from gaining permission.
- Some municipalities have chosen to adopt Guidelines which assist in outlining a process to work closely with the proponent to achieve a mutually agreeable outcome.
- Issues related to health impacts are regulated by Health Canada.
Development Issue: Compliance Certificates

- Not required by legislation and does not enforce LUB or building code requirements
- Document issued by municipality confirming that development on a property meets the regulations of the LUB
- Considers setbacks, lot coverage, height, use of building, etc.
- Based on real property report prepared by an Alberta Land Surveyor (ALS)
Development Permit

• Issued whenever development occurs (see definition of development on previous slide).
• If a building permit is necessary both permits may be reviewed for approval consecutively.
• A Development Permit will determine, among other things, if the use is permitted on the subject property per zoning.
Development Permit (Con’t)

– Building and Planning Departments may wish to co-ordinate this process to ensure one permit is not issued in conflict with the other.
  • For example: issuing a building permit for a use that is not permitted or
  • where minimum setbacks or maximum heights of buildings are not met.

– May wish to note on the Development Permit upon issuance that the applicant acquire all necessary safety codes permits. This may be determined by the local jurisdiction. Depending on if they are accredited or non-accredited.
  • May also wish to send a copy of the approved Development Permit to the Safety Codes Act Permit Issuers.
Questions
Land Use Planning Resources

Alberta Development Officer’s Association

Alberta Professional Planners Institute

Community Planning Association of Alberta

Applied Land Use Planning Certificate
University of Alberta
  – For practicing professionals in municipal planning, development, and bylaw enforcement. Recognized by ADOA, credits for APPI

Legal counsel with municipal law expertise
WEB Resources

✓ Queen’s Printer – legislation & regulations:
www.qp.alberta.ca/Laws_Online.cfm


✓ Municipal Affairs Advisory Bulletins (includes Land Use Policies):
http://municipalaffairs.alberta.ca/am_planning_and_development

✓ Land Use Framework:
https://landuse.alberta.ca/Pages/default.aspx

✓ Flood Hazard Map Application:

✓ ERCB Abandoned Well View:

✓ GeoDiscover Alberta:
https://geodiscover.alberta.ca/geoportal/

✓ Environmental Site Assessment Repository (ESAR):