

2 | AGENCIES

2.1 | DEVELOPMENT AUTHORITY

1. The Development Authority is established by the County's Development Authority Bylaw.
2. The Development Authority shall be appointed ~~by resolution of Council~~ in accordance with the Development Authority Bylaw.
3. The Development Authority shall be:
 - a. the Municipal Planning Commission of the County; and the
 - b. the Development Officer of the County
4. If the decision on a development permit application is to be made by the Municipal Planning Commission, the term Development Authority, when used in this Bylaw, shall be the Municipal Planning Commission.
5. If the decision on a development permit application is to be made by the Development Officer, the term Development Authority, when used in this Bylaw, shall be the Development Officer.

2.2 | DEVELOPMENT OFFICER

1. The powers, duties and functions of the Development Officer shall be those described in this Bylaw.
2. The Development Officer:
 - a. shall consider and decide upon all development permit applications that conform to the regulations in this Bylaw;
 - b. shall refer to the Council any application which is located within a Direct Control (DC) District;
 - c. shall refer to the Municipal Planning Commission all development permit applications for variance requests in excess of the variance authority granted to the Development Officer in the Development Authority Bylaw of more than ten percent (10%); with recommendations for its consideration and decision;
 - d. may refer to the Municipal Planning Commission any application which, in their opinion, should be decided by the Commission;
 - e. shall keep and maintain for the inspection of the public during office hours a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at a reasonable charge;

- f. shall make available for inspection by the public during office hours a register of all applications for development permits and the decisions made thereon;
- g. shall collect fees according to the Planning and Development Fee Bylaw as determined by Council which may be amended from time to time by resolution;
- h. is declared to be a designated officer for the purposes of Section 542 of the Act;
- i. may sign any order, decision, approval, notice or other correspondence on behalf of the Development Authority.

2.3 | MUNICIPAL PLANNING COMMISSION

1. The Municipal Planning Commission, as established by Council by bylaw, shall perform such duties as specified in this Bylaw.
2. The Municipal Planning Commission:
 - a. shall consider and decide upon all development permit applications referred to it by the Development Officer; and
 - b. shall consider and decide upon all development permit applications that exceed the variance authority granted to the Development Officer in the Development Authority Bylaw~~for variance requests of more than ten percent (10%).~~

2.4 | COUNCIL

1. Council shall be authorized to decide upon all development permit applications within a Direct Control District and to issue such decisions that it sees fit.

2.5 | SUBDIVISION AUTHORITY

1. The Subdivision Authority of Athabasca County shall be as established by the municipality's Subdivision Authority Bylaw to act on behalf of Council in those matters delegated to it by this Bylaw and the Subdivision Authority Bylaw.
2. The Subdivision Authority shall be appointed ~~by resolution of Council.~~ in accordance with the Subdivision Authority Bylaw.

3.6 | VARIANCE PROVISIONS FOR DEVELOPMENT PERMITS

1. The Development Officer may approve an application for a development permit, even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Development Officer the proposed variance:
 - a. would not vary a regulation ~~by greater than ten percent (10%); and in excess of the variance authority granted to the Development Officer in the Development Authority Bylaw;~~
 - b. would not unduly interfere with the amenities of the neighbourhood;
 - c. would not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - d. conforms with the use prescribed for that land or building in this Bylaw.
2. ~~All requests for a variance that would vary a regulation by greater than ten percent (10%) must be~~The Development Officer shall ensure that variance requests in excess of the variance authority grant to the Development Officer, as provided for in the Development Authority Bylaw, are referred to the Municipal Planning Commission for a decision.
3. The Municipal Planning Commission may approve an application for a development permit, even though the proposed development does not comply with the regulations of this Bylaw, or if the development is to be a rebuilding, an enlargement, an addition, or a structural alteration of a non-conforming building, if, in the opinion of the Municipal Planning Commission the proposed variance:
 - a. would not unduly interfere with the amenities of the neighbourhood;
 - b. would not materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
 - c. conforms with the use prescribed for that land or building in this Bylaw.
4. Applications for development permits which require a variance are subject to the discretion of the Development Authority, and may be refused regardless of whether construction has already commenced.