

Municipal District of Greenview No. 16

LAND USE BYLAW

BYLAW NO. 03-396

DECEMBER 10, 2003



TABLE OF CONTENTS

SECTION 1	GENERAL	1
1.1	Title	1
1.2	Purpose	1
1.3	Application of Bylaw	1
1.4	Conformity with Bylaw	1
1.5	Other Approvals or Licenses	1
SECTION 2	DEFINITIONS	2
SECTION 3	DUTIES OF ADMINISTRATIVE AUTHORITIES	8
3.1	Development Officer, Municipal Planning Commission and Council	8
3.2	Development Authority's Discretion	9
3.3	Variance Powers	9
SECTION 4	NEED FOR A DEVELOPMENT PERMIT	11
4.1	When Development Permits are Required	11
4.2	When Development Permits are not Required	10
4.3	Non-Conforming Buildings and Uses	12
SECTION 5	DEVELOPMENT PERMIT APPLICATIONS	13
5.1	Forms and Notices	13
5.2	Contents of a Development Permit Application	13
SECTION 6	PROCESSING A DEVELOPMENT PERMIT	14
6.1	Agency Referrals	14
6.2	Conditions of a Development Permit	14
6.3	Contravention	14
6.4	Notification of Permit Approval or Refusal	15
SECTION 7	APPEALING A DECISION	16
7.1	Method of Appeal	16
7.2	The Appeal Process	16

TABLE OF CONTENTS (Cont'd)

SECTION 8	AMENDING THIS BYLAW	17
8.1	Contents of an Amendment Application	17
8.2	The Amendment Process	17
SECTION 9	GENERAL REGULATIONS	19
9.1	Transportation and Municipal Road Standards	19
9.2	Environmental Standards	19
9.3	Exterior Lighting	21
9.4	Parking Requirements	21
9.5	Dangerous Goods	21
9.6	Landscaping and Screening	21
9.7	Relocation of Buildings	22
9.8	Home Occupations – (Minor & Major).....	22
9.9	Small Scale Industrial Pursuits	23
9.10	Sign Control	23
9.11	Manufactured Homes	24
9.12	Objects Restricted in Residential Areas	24
9.13	Work/Open Camps	24
9.14	Removal of Topsoil	25
9.15	Dugouts	25
9.16	Dwelling Units Per Lot	25
9.17	Accessory Buildings	26
9.18	Wind Energy Conversion Systems (WECS)	27
9.18.1	WECS – Definitions	27
9.18.2	Categories of WECS	28
9.18.3	Application Requirements for WECS	28
9.18.4	Additional Requirements – Non-reflective Finish & No Advertising	29
9.18.5	Public Hearing	29
9.18.6	Setbacks, Decommissioning, Exemption for Category 1 and 2 WECS	29
9.18.7	Category 3 - Additional Requirements – Agency Comments	29
9.18.8	Category 3 - Visual Representation, Turbine Specs, Noise, Shadow/Flicker	30
9.18.9	Category 3 – Referrals	31
9.18.10	Category 3 - Setbacks	31
9.18.11	Category 3 - Noise & Affected Landowners	31
9.18.12	Category 3 - Minimum Blade Clearance	32
9.18.13	Category 3 - Tower Access & Safety	32
9.18.14	Category 3 – Distribution Lines	32
9.18.15	Category 3 – Repowering	32
9.19	Solar Collectors.....	33
9.20	Communication Facilities.....	34

TABLE OF CONTENTS (Cont'd)

SECTION 10	ESTABLISHMENT OF DISTRICTS	36
10.1	District Classification	36
10.2	District Symbols	36
10.3	District Maps	36
SECTION 11	DISTRICT RULES	37
11.1	Agriculture (A) District	37
11.2	Country Residential One (CR-1) District	39
11.3	Country Residential Two (CR-2) District	41
11.4	Rural Commercial (RC)	43
11.5	Industrial (I) District	44
11.6	Hamlet Residential (HR) District	46
11.7	Hamlet Commercial (HC) District	48
11.8	Hamlet Industrial (HI) District	49
11.9	Manufactured Home Park (MHP) District	50
11.10	Recreation (R) District	52
11.11	Rural Settlement (RS) District	54
11.12	Crown Land (CL) District	55
11.13	Direct Control (DC) District	57
11.14	Airport Vicinity (AV) District	58
SECTION 12	ADOPTION OF BYLAW	60
12.1	Repeal of Existing Land Use Bylaw	60
12.2	Effective Date of Bylaw No. 03-396	60
SECTION 13	LAND USE BYLAW MAPS (Schedule A)	61

SECTION 1 GENERAL

1.1 TITLE

This Bylaw may be cited as the "Municipal District of Greenview No. 16 Land Use Bylaw".

1.2 PURPOSE

The purpose of this Bylaw is to regulate the use and development of land and buildings within the Municipal District of Greenview No. 16 (hereinafter called "Municipal District").

1.3 APPLICATION OF BYLAW

Unless exempted by the Act or otherwise specified in this Bylaw, the provisions of this Bylaw apply to all land and buildings within the Municipal District.

1.4 CONFORMITY WITH BYLAW

No person shall commence any development unless it is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw, where such a permit is required.

1.5 OTHER APPROVALS OR LICENSES

In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such approvals or licenses as may be required by the Municipal District or other Provincial or Federal Government departments or agencies.

SECTION 2 DEFINITIONS

"ACCESSORY BUILDING OR USE" means a building or use which, in the opinion of the Development Authority, is incidental, subordinate and exclusively devoted to the principal use or building and located on the same site.

"ACT" means the Municipal Government Act.

"ADJACENT" means contiguous or would be contiguous if not for a river, stream, railway, road or utility right of way (or reserve land, as defined in the Act).

"AGRICULTURE (EXTENSIVE)" means the raising or production of any cultivated crops or livestock and in which the use of buildings and confinement areas is auxiliary to the use of the land itself. This constitutes an "agricultural operation" pursuant to the requirements of the Agricultural Operation Practices Act, but does not include a confined feeding operation.

"AGRICULTURAL INDUSTRY" means an industrial use related to agriculture involving the production, initial processing or storage of farm products. For purposes of clarification, this includes a grain elevator, seed cleaning plant, abattoir, pelletizing plant, bulk storage tank or area (other than retail fuel sales), auction market, livestock holding station, and similar uses.

"AGRICULTURE (INTENSIVE)" means the commercial production of cultivated crops which relies generally on the confinement of plants, and includes such uses as market gardens, nurseries, tree farms, berry farms and greenhouses.

"APARTMENT BUILDING" means a residential building containing three or more dwelling units, each with an entrance either directly from the outside or through a common vestibule.

"APPEAL BOARD" means the Subdivision and Development Appeal Board.

"AUTO BODY AND PAINT SHOP" means an establishment for the repair or painting of motor vehicle bodies but does not include facilities for the sale of fuels, lubricants, or automotive accessories.

"AUTOMOBILE DEALERSHIP" means premises for the display and/or sale of motor vehicles excluding farm equipment, heavy equipment designed for specialized purposes, and purpose built recreational vehicles.

"BUFFER" means an area where development is restricted to a row of trees, shrubs, berming, fencing, or other similar means to provide visual screening and separation between sites, incompatible land uses, roadways or districts.*¹

"BUILDING HEIGHT" means the vertical distance of a building measured from the average grade adjacent to the building, to the highest point of the roof.

"CONFINED FEEDING OPERATION" means a confined feeding operation as defined in the Agricultural Operation Practices Act.

"COUNCIL" means the Council for the Municipal District of Greenview No. 16.

¹ Added by Bylaw No. 10-628 December 15, 2010

"COUNTRY RESIDENTIAL PARCEL" means the subdivision of a parcel of land on which there is no development at the time of subdivision, from an unsubdivided quarter section, for the purposes of accommodating a residence.

"COUNTRY STORE" means a building located outside a hamlet or rural settlement where merchandise and foodstuffs are offered for retail sale.

"DANGEROUS GOODS" means dangerous goods as defined in the Dangerous Goods Transportation and Handling Act.

"DEVELOPMENT" means any development that is defined in the Act.^{*1}

"DEVELOPMENT AUTHORITY" means the Development Officer, Municipal Planning Commission, or Council, as the case may be.

"DEVELOPMENT OFFICER" means the person appointed by a resolution of Council to the office established by this Bylaw and by the Act.

"DISCRETIONARY USE" means the use of land or of a building which is listed in the column captioned "Discretionary Uses" in a table of uses for certain districts in this Bylaw, and for which approval of a development permit application may be issued by the Municipal Planning Commission, subject to the provisions of this Bylaw

"DUPLEX" means a building containing two dwelling units, each of which has an independent entrance either directly from outside the building or through a common vestibule.

"DWELLING UNIT" means a building designed to be used as a residence and containing sleeping, cooking and sanitary facilities and with an independent entrance, either directly from outside the building or from a common hallway inside the building.

"FARM BUILDING" means an improvement used in connection with the raising or production of crops, livestock or poultry and situated on land used in connection with such farming operations, but does not include a dwelling unit. Farm buildings include granaries, barns, sheds, hay storage structures, garages and shops. Buildings used for the conducting of non-farm business operations are not considered to be farm buildings and are regulated by other provisions of this Bylaw.

"FARMSTEAD" means the first parcel out of an unsubdivided quarter section containing an existing, habitable dwelling unit and associated buildings and related improvements.

"FRAGMENTED PARCEL" means a parcel of land that is separated from the balance of the quarter section by a watercourse, railway, road or highway, embankment, or other physical or manmade features such that it is impractical, in the opinion of the Development Authority, to farm or graze the fragmented parcel proposed to be subdivided either independently or as part of the larger farm operation.

"GARDEN SUITE" means a temporary dwelling used to accommodate persons who are in need of personal care from the landowner(s), provided that such personal care is necessary due to elderly age, physical disability and/or mental handicap, financial hardship, or other compassionate grounds.

¹ Added by Bylaw No. 10-628 December 15, 2010

"HAMLET" means any settlement declared to be a hamlet by an order of the Minister of Municipal Affairs or a decision of Council.

"HOME OCCUPATION (MAJOR)" means the use of a building and/or site, which is incidental to the principal residential use of the building and or site.

"HOME OCCUPATION (MINOR)" means the use of part of a residential building to conduct a business or commercial enterprise. The business portion shall be incidental or subordinate to the primary residential function and shall be limited to the confines of the residence.

"HOTEL" means a building providing accommodation for the public, containing guest rooms served by a common entrance, as well as general kitchen and dining or other public rooms.

"IMPROVEMENTS" means installations that occupy a parcel that are complementary to the operation of the principal use of the parcel, and may include but are not limited to fences, water supplies, sewage disposal systems, and shelterbelts, but does not include a residence or a farm building.

"INDUSTRIAL LANDFILL" means a site used for the disposal of non-domestic or industrial solid wastes which may not be disposed of at a sanitary landfill and is not intended for use of the public at large. For the purpose of this Bylaw this includes contaminated soil remediation (land farm) operations.

"LIVESTOCK" means poultry, horses, cattle, sheep, goats, bison, fur-bearing animals raised in captivity, and game-production animals within the meaning of the Livestock Industry Diversification Act.

"LOT" means a "lot" as defined in the Act.

"LOT COVERAGE" means the percentage of the area of any lot, which is covered by buildings or structures, excepting driveways, parking areas, and sidewalks.

"LOT WIDTH" means the distance between the side lot lines at a point midway between the front and rear of the lot and approximately parallel to the street line.

"MANUFACTURED HOME" means a prefabricated detached dwelling unit that meets Canadian Standards Association (CSA) Z240 and A277 standards, and meets the requirements of the Alberta Building Code. This definition applies to both single-section and multi-section models, but does not apply to modular homes, recreational vehicles or industrial camp trailers.

"MANUFACTURED HOME PARK" means a development on a site under single ownership and managed by a park operator. It is designed to accommodate numerous manufactured homes on leased lots in a community setting.

"MANUFACTURED HOME PARK LOT" means that portion of land within a manufactured home park that is rented or leased for the placement of a manufactured home.

"MINOR AGRICULTURAL PURSUIT" means the rearing of a small number of livestock on a residential parcel.

"MOTEL" means a building or group of buildings designed for the accommodation of the public containing guest rooms, each of which has a separate entrance either directly from outside the building or from a common shared hallway.

“MUNICIPALITY” means the Municipal District of Greenview No. 16.

“NATURAL AREA” means a designated area that is representative or unique in its natural state. These areas may be used to demonstrate principles of conservation and are intended to preserve environmentally sensitive resources for recreational, educational, or scientific use.

“NATURAL RESOURCE EXTRACTION INDUSTRY” means an enterprise engaged in the extraction of natural resources such as timber, clay, sand, gravel, coal, oil and gas, and minerals such as limestone. This does not include the processing of these resources such as gas plants, petrochemical plants, refineries, pulp mills, major sawmills, or similar large-scale developments.

“OPEN CAMP” means a remote work camp established on a permanent basis to house workers for any project in the area exceeding six (6) months. The camp would consist of a cluster of units to provide sleeping, eating, recreation, and other basic living facilities.¹

“PARCEL” means a parcel as defined in the Act.

“PERMITTED USE” means the use of land or of a building which is listed in the column captioned “Permitted Uses” in a table of uses for most districts in this Bylaw, and for which approval of a development permit applications may be issued by the Development Officer.

“PERSONAL SERVICES ESTABLISHMENT” means a development used for the provision of services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and similar uses.

“PRINCIPAL BUILDING OR USE” means a building or use, which in the opinion of the Development Authority is the main purpose for which the building or site is ordinarily used.

“PUBLIC USE” means a building, structure, or site that is used for public administration and services by a municipality, board or agency of a municipality, department, commission or agency of the Government of Alberta or Canada, or non-profit organization registered under the Societies Act. This includes community halls, churches, schools, parks, cemeteries, and similar uses.

“PUBLIC UTILITY” means a public utility as defined in the Act.

“RECREATION (EXTENSIVE)” means a recreational land use, wherein users and development are scattered over a dispersed area of land, and includes passive parks, walking trails, hunting, trail riding and/or riding stables, snowmobiling, hiking, back country campsites, or a combination of the above and other similar uses and activities.

“RECREATION (INTENSIVE)” means a recreational land use localizing users and development and concentrating activities, and includes beaches, racetracks, sports fields, golf courses, campgrounds, recreational resorts, picnic areas and other similar uses and activities.

¹ Added by Bylaw No. 13-700 February 11, 2014

“RECREATIONAL RESORT” means a commercial land use that is used or developed for occasional or seasonal habitation by the general public for recreational purposes, and includes such uses as resort cabins, recreational vehicle parks, holiday trailer parks, and similar uses.

“ROAD” means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a provincial highway.

“SANITARY LANDFILL” means a site used for the disposal of domestic solid wastes which may be utilized by the public at large.

“SEMI-DETACHED DWELLING” means two attached dwelling units that share a common wall.

“SERVICE STATION” means a facility for the service and repair of motor vehicles, and/or for the retail sale of gasoline, lubricants, automotive accessories and associated products.

“SETBACK” means the distance requirement that a development must be located from a specified property line.

“SINGLE FAMILY DWELLING” means a building constructed on site, or moved onto the site in one piece or in sections (as in a modular home), and intended for use as a residential building containing only one dwelling unit. Mobile homes are not considered to be Single Family Dwellings for the purposes of this Bylaw.

“SMALL SCALE INDUSTRIAL PURSUIT” means the use of land and/or buildings for a non-agricultural industrial operation of limited size, and which is incidental or subordinate to the use of a parcel of land for agricultural purposes, and includes such uses as auto body shops, metal fabrication operations, and the manufacture of finished wood products.

“TRANSFER STATION” means an area at which domestic refuse is collected prior to transport to a central landfill facility.

“UNSUBDIVIDED QUARTER SECTION” means a quarter section, lake lot, river lot or settlement lot that has not been subdivided except for public uses or public utilities, and that constitutes more than half of the area that was originally constituted by that quarter section, lake lot, river lot or settlement lot.

“WIND ENERGY CONVERSION SYSTEM (WECS)” means a single structure consisting of a one turbine and accessory equipment designed to convert wind energy into electrical energy.¹

“WORK CAMP” means one of more buildings and related facilities established on a temporary basis that are intended to accommodate workers for the duration of a construction project or similar activity such as mining, resource exploration, and lumbering. A work camp does not include accommodations that are provided by employees for their own use, or where employees transport, store or prepare food for their own personal consumption. Work camps are temporary camps which are placed on a location for a specific project, are intended to only house workers for that project and are to be removed when the project ends.²

¹ Added by Bylaw No. 10-628 December 15, 2010

² Changed by Bylaw No. 13-700 February 11, 2014

"YARD" means a part of a lot upon or over which no building or structure other than a boundary fence is erected except for specifically permitted encroachments and accessory buildings.

"YARD, FRONT" means a yard extending across the full width of a lot and situated between the front lot line and nearest exterior wall of the principal building.

"YARD, REAR" means a yard extending across the full width of a lot and situated between the rear lot line and nearest exterior wall of the principal building.

"YARD, SIDE" means a yard extending from the front yard to the rear yard and situated between a side lot line and nearest exterior wall of the principal building.

SECTION 3 DUTIES OF ADMINISTRATIVE AGENCIES

3.1 DEVELOPMENT OFFICER, MUNICIPAL PLANNING COMMISSION AND COUNCIL

3.1.1 The office of the Development Officer, as established by separate bylaw, is hereby authorized to act as a "Development Authority" in the case of those uses listed in the district regulations as "Permitted Uses".

3.1.2 The Municipal Planning Commission, as established by separate bylaw, is hereby authorized to act as a "Development Authority" in the case of those uses listed in the district regulations as "Discretionary Uses".

3.1.3 Council is hereby authorized to act as a "Development Authority" for those developments contained in a Direct Control District.

3.1.4 The Development Officer shall:

- a) Receive, consider and render a decision on applications for development permits for those uses listed as "Permitted Uses" in the subject land use district;
- b) Refer applications for development permits to the Municipal Planning Commission for review, consideration, and a decision when:
 - i) Those uses are listed as "Discretionary Uses" in the subject land use district,
 - ii) Those uses are not listed either as "Permitted Uses" or "Discretionary Uses" in the subject land use district,
 - iii) A variance is requested greater than that which can be approved by the Development Officer under Section 3.3.2, or
 - iv) The Development Officer wishes to refer any other application to the Municipal Planning Commission;
- c) Refer applications for development located in the Direct Control (DC) District to the Municipal Planning Commission for recommendation to Council;
- d) Keep and maintain for inspection of the public during office hours, a copy of this Bylaw and all amendments thereto;
- e) Keep a register of all applications for developments, including the decisions thereon and the reasons therefore.

3.1.5 DECISION TIME LIMITS FOR DEVELOPMENT PERMITS

- a) The Development Authority shall consider and decide on applications for development permits within forty (40) days of the receipt of the application in its complete form.
- b) If a decision is not made within forty (40) days, the application shall, at the option of the applicant, be deemed refused. An application which has been deemed as refused may then be appealed to the Subdivision and Development Appeal Board, subject to the provisions of Section 7 of this Bylaw.

c) If a decision is not made within the forty (40) days specified in 3.1.4(a) above, the applicant may enter into an agreement with the Development Authority to extend the forty (40) day period using the prescribed form.

3.2 DEVELOPMENT AUTHORITY'S DISCRETION

3.2.1 A development permit application for a use which is not listed as a "Permitted Use" or a "Discretionary Use" in the subject land use district shall be refused.

3.2.2 In making a decision on an application for a use listed under the "Permitted Uses" column in a land use district, the Development Authority:

a) Shall approve, with or without conditions, a development permit application where the proposed development conforms with this Bylaw, or;

b) Shall refuse a development permit application if the proposed development does not conform to this Bylaw.

3.2.3 In making a decision on a development permit application for a use listed as a "Discretionary Use" in the subject land use district, the Development Authority:

a) May approve the application with or without conditions, either permanently or for a limited period of time;

b) May refuse a development permit application even though it meets the requirements of this Bylaw;

c) Shall refuse a development permit application if the proposed development does not conform to this Bylaw.

3.2.4 Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish a more stringent standard for "Discretionary Uses" when deemed necessary to do so.

3.3 VARIANCE POWERS

3.3.1 Notwithstanding Sections 3.2.2(b) and 3.2.3(c), the Development Authority may approve a development permit or a subdivision application, notwithstanding that the proposal does not comply with this Bylaw if, in the opinion of the Development Authority:

a) The proposed development would not unduly interfere with the amenities of the neighborhood, or materially interfere with or affect the use, enjoyment or value of neighboring properties; and

b) The proposed development conforms with the use prescribed for the land or building in this Bylaw.

3.3.2 Notwithstanding the generality of Section 3.3.1, in the case of Permitted Uses the Development Officer may allow a variance not exceeding ten percent (10%) to any front yard, side yard or rear yard setback.

3.3.3 The Development Authority shall specify in its approval records the type and extent of any variance granted in a development permit approval.

3.3.4 Notwithstanding Section 3.2.1, if a proposed use of land or a building is not listed as a "Permitted Use" or "Discretionary Use" in the Bylaw, the Municipal Planning Commission may determine that such a use is similar in character and purpose to a use listed under that land use district and may issue a Development Permit.

SECTION 4 NEED FOR A DEVELOPMENT PERMIT

4.1 WHEN DEVELOPMENT PERMITS ARE REQUIRED

Except as provided for in Section 4.2, no person shall undertake any development unless a development permit has first been issued pursuant to this Bylaw, and the development is in accordance with the terms and conditions of said permit.

4.2 WHEN DEVELOPMENT PERMITS ARE NOT REQUIRED

A development permit is not required for the following developments provided they comply with the requirements of Sections 9 and 10 of this Bylaw:

- a) Works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation. Structural alterations are such that, in the opinion of the Development Authority, would result in substantial changes to the roof, foundation, exterior walls of a structure; or that would result in an expansion of the usable floor area of a structure, thereby reducing existing setback distances;
- b) The completion of a building which is lawfully under construction at the date this Bylaw comes into effect, providing that the building is completed in accordance with the terms of any permit granted in respect of it;
- c) The construction and maintenance of gates, fences, walls or other means of enclosure less than 1.8 m (6 ft) in height;
- d) A temporary building, the sole purpose of which is incidental to the erection or alteration of a permanent building, for which a development permit has been issued;
- e) Public works, services and utilities carried out by or for government authorities on land which is publicly owned or controlled;
- f) The agricultural use of a lot larger than 4 ha (10 ac) which is assessed as farmland and used for extensive agricultural uses, including farm buildings, but not including a dwelling unit. Intensive agricultural operations require development permits for the use of the land as defined in this Bylaw;
- g) One temporary on-site sign which does not exceed 1 m² (11 ft²) in area nor 1.5 m (5 ft) in height and is intended for:
 - i) Advertising the sale or lease of a dwelling unit or property,
 - ii) Identifying a construction or demolition project for which a development permit has been issued, or,
 - iii) Identifying a political or charitable campaign;
- h) One permanent on-site sign which is intended for use as:
 - i) A commemorative plaque of a non-advertising nature,

- ii) The identification of a farm residence or the advertising of farm products
- i) Accessory buildings which have a floor area of no greater than 14.8 m² (160 ft²).
- j) Any signage for which approval from Alberta Transportation is required.

4.3 NON-CONFORMING BUILDINGS AND USES

Developments that are considered as a non-conforming building or use shall be dealt with as provided in this Bylaw. For convenience, the following extracts are provided:

- a) A non-conforming use of either land and/or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land and/or building shall conform with the provisions of this Bylaw.
- b) A non-conforming use of part of a building may be extended throughout the building whether or not it is a non-conforming building. A non-conforming building shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- c) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the parcel while the non-conforming use continues.
- d) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - i) As may be necessary to make it a conforming building, or,
 - ii) As the Development Officer considers necessary for the routine maintenance of the building.
- e) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.

SECTION 5 DEVELOPMENT PERMIT APPLICATIONS

5.1 FORMS AND NOTICES

For the purpose of administering the provisions of this Bylaw, Council, by resolution, may authorize the preparation and use of such forms and notices as in its discretion it may deem necessary. Such forms or notices as contained in Schedule "A" are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized and issued.

5.2 CONTENTS OF A DEVELOPMENT PERMIT APPLICATION

5.2.1 A development permit application shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the applicant or his agent. The registered owner of the property must also sign the Development Permit, if that person is different from the applicant. The Development Officer may require any or all of the following information with the application:

- a) A dimensioned site plan showing the legal description and front, rear and side yards, if any, and any provision for off-street loading, parking and access;
- b) A dimensioned floor plan and elevations;
- c) A statement of use;
- d) A statement of ownership of land and interest of the applicant therein;
- e) The estimated commencement and completion dates;
- f) The estimated cost of the project;
- g) The extent of existing treed areas and an indication of the trees which are proposed for removal;
- h) Such additional information as the Development Officer may require.

5.2.2 A non-refundable processing fee, the amount of which shall be established by resolution of Council from time to time, shall accompany each development permit application.

5.2.3 When, in the opinion of the Development Authority, sufficient details have not been included with a development permit application, it may be returned to the applicant for further details. The application so returned shall be deemed not to have been in its complete and final form until all required details have been submitted. The forty (40) day approval period shall not begin until the Development Officer deems the application as complete.

SECTION 6 PROCESSING A DEVELOPMENT PERMIT

6.1 AGENCY REFERRALS

The Development Officer may refer a development permit application to any agency in order to receive comment and advice.

6.2 CONDITIONS OF A DEVELOPMENT PERMIT

6.2.1 The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the Municipal District in accordance with the Act.

6.2.2 Prior to imposing a condition as outlined in Section 6.2.1, the Development Authority may consult with Council as may be required in the circumstances and shall specify the terms and content of the agreement in the condition of the development permit.

6.2.3 The Municipal District may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under Section 6.2.1 against the Certificate of Title for the land that is the subject of the development. Said caveat shall be discharged when the agreement has been complied with.

6.2.4 A development permit comes into effect fourteen (14) days after its issuance. A development permit is considered issued when it is first published in a newspaper as per the requirements of the Act. Where an appeal has been lodged with the Appeal Board, no development shall be commenced pursuant to the development permit until all appeals are finally determined and the issuance of the development permit has been upheld.

6.2.5 A development permit lapses and is automatically void if the development authorized is not commenced within twelve (12) months from the date of issuing the permit or within such longer period not exceeding three (3) months as may be granted by the Development Authority.

6.2.6 When a Development Permit application has been refused pursuant to this Bylaw or ultimately after appeal, the Development Officer shall not accept the submission of another application for a development permit on the same parcel of land for the same or similar use until six (6) months after the date of refusal.

6.2.7 If, in the opinion of the Development Authority, satisfactory arrangements have not been made by a developer for the supply of water, electrical power, sewage, or access, and the development is located in a hamlet or intended for use by the general public, the Development Authority shall refuse to issue a development permit.

6.3 CONTRAVENTION

6.3.1 Where the Development Authority finds that a development or use of land is not in accordance with the Act, this Bylaw, or a development permit issued hereunder, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, the person responsible for the contravention, or all or any of them to:

a) Stop the development or use of the land or buildings in whole or in part as directed by the notice, or;

- b) Demolish, remove or replace the development, or;
- c) Take such other measures specified in the notice so that the development or use of the land or buildings is in accordance with the Act and its regulations, a development permit, subdivision approval or this Bylaw as the case may be, within the time specified by the notice.

6.3.2 If a person fails or refuses to comply with an order directed to him under Section 6.3.1 of this Bylaw or an order of the Appeal Board, Council or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.

6.3.3 When Council or a person appointed by Council carries out a Stop Order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned. Such costs shall be collected in the same manner as taxes on land in accordance with the Act.

6.3.4 For the purpose of entering and inspecting land or buildings for the purposes of carrying out an order, the Development Officer is hereby declared to be an "authorized person".

6.4 NOTIFICATION OF PERMIT APPROVAL OR REFUSAL

6.4.1 When a development permit application is approved, the Development Officer or other appointed municipal official of the Municipal District shall:

- a) Publish a notice in the local newspaper identifying the location and indicating the applicant's name, legal description of the property for which the application has been made, the nature of the approval, and the decision of the Development Authority, and;
- b) Mail a notice of decision to the applicant or his agent,
- c) At the discretion of the Development Authority, any adjacent property owners or occupants and any other parties deemed affected may also be notified.

6.4.2 When a development permit application is refused, the Development Officer shall mail a Notice of Decision to the applicant or his agent stating the reasons for the refusal.

6.4.3 For the purposes of this Bylaw, the decision of the Development Authority is deemed to have been given on the date of issue on the Notice of Decision form, which shall coincide with the date the Notice of Decision is published in the newspaper.

6.4.4 When a development permit application for a single detached dwelling or a manufactured home is approved in any Agriculture or Country Residential District, the Development Officer shall include in the written notice an advisory that the approved residence is located adjacent to agricultural operations.

SECTION 7 APPEALING A DECISION

7.1 METHOD OF APPEAL

- 7.1.1 The Appeal Board shall perform such duties and follow such procedures as specified in the Act and the Subdivision and Development Appeal Board Bylaw.
- 7.1.2 A decision of a development permit application may be appealed by serving a written notice of appeal on the Secretary within fourteen (14) days from the date the decision on the permit has been advertised in a local newspaper.

7.2 THE APPEAL PROCESS

- 7.2.1 When a notice has been served on the Secretary with respect to a decision to approve an application for a development permit, the development permit shall not be effective before:
- a) The decision on the development permit has been sustained by the Appeal Board, or
 - b) The Secretary has received written notification from the appellant that the appeal has been abandoned.
- 7.2.2 If the decision to approve a development permit application is reversed by the Appeal Board, the development permit shall be null and void.
- 7.2.3 The Appeal Board's "Record of Proceedings shall constitute the final decision of the Appeal Board.
- 7.2.4 If the decision to refuse a development permit application is reversed by the Appeal Board, the Board shall direct the Development Officer to issue a development permit in accordance with the decision of the Board after expiry of the 30-day appeal period to the Courts.
- 7.2.5 If the decision to approve a development permit application is varied by the Appeal Board, the Board shall direct the Development Officer to issue a development permit in accordance with the terms of the decision of the Board after expiry of the 30-day appeal period to the Courts.

SECTION 8 AMENDING THIS BYLAW

8.1 CONTENTS OF AN AMENDMENT APPLICATION

- 8.1.1 A Land Use Bylaw amendment application shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the landowner, applicant or his agent. The Development Officer may require any of the following information to accompany an application to amend this Bylaw:
- a) A copy of the Certificate of Title for the lands affected, or any other documentation satisfactory to the Development Officer, verifying that the applicant has a legal interest in the land, or written consent from the landowner;
 - b) A statement of the reasons for the request to amend the Bylaw;
 - c) If the amendment involves the rezoning of land, a properly dimensioned map indicating the affected site, and its relationship to existing land uses within a 90 m (300 ft) radius of the boundaries of the site;
 - d) Where the applicant is an agent acting for the owner, a letter from the owner verifying the agent's authority to make the application; and
 - e) Such additional information as the Development Officer may require.
- 8.1.2 A non-refundable processing fee, the amount of which shall be established by Resolution of Council from time to time, shall accompany each amendment application.
- 8.1.3 The Development Officer may refuse to process a Bylaw amendment application if the information required has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.

8.2 THE AMENDMENT PROCESS

- 8.2.1 Upon receipt of a complete application, it shall be referred to:
- a) The Municipal District administration for the drafting of a proposed Land Use Bylaw Amendment;
 - b) The Municipal Planning Commission for consideration and recommendation to Council;
 - c) Council for first reading and to establish a date for a public hearing to be held prior to second reading.
- 8.2.2
- a) The Development Officer may refer an amendment application to any agency in order to receive comment and advice.
 - b) If the proposed amendment involves the rezoning of land, the Development Officer will give written notice of the application to the assessed owner(s) of the parcel and any adjacent landowners.
 - c) Where the affected land is within 3.2 km (2 miles) of a municipal boundary, the adjacent municipality will be notified of the proposed amendment.

- 8.2.3 A notice of the application shall be published at least once a week for two consecutive weeks in a local newspaper. This advertisement will appear no less than five (5) days before the date of the public hearing. This notice shall contain:
- a) The legal description of the land;
 - b) The purpose of the proposed amending bylaw;
 - c) The one or more places where a copy of the proposed amending bylaw may be inspected by the public during regular office hours;
 - d) The one or more dates, places, and times that Council will hold a public hearing on the proposed amending bylaw;
 - e) A map showing the location of any subject parcel to which the amendment application may apply;
 - f) An outline of the procedures to be followed by anyone wishing to be heard at the public hearing.
- 8.2.4 Council, after considering:
- a) Any representations made at the public hearing;
 - b) Any municipal development plan, area structure plan, and area redevelopment plan affecting the application and the provisions of this Bylaw may:
 - i) Make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
 - ii) Defeat the proposed amendment.
- 8.2.5 Council, on its own initiative, may proceed to undertake an amendment to this Bylaw.
- 8.2.6 When an amendment application has been refused pursuant to this Bylaw, the submission of another application for an amendment on the same parcel of land for the same or similar use shall not be accepted until six (6) months after the date of refusal.

SECTION 9 GENERAL REGULATIONS

9.1 TRANSPORTATION AND MUNICIPAL ROAD STANDARDS

9.1.1 No person shall erect any building or structure in any land use district, unless the building or structure is set back from the property line of the adjacent roadway as follows:

- a) Provincial Highway: 41 m (134 ft) or as required by Alberta Transportation
- b) Internal Subdivision Road: 7.5 m (25 ft)
- c) Service Road: 7.5 m (25 ft)¹
- d) All Other Roads: 41 m (134 ft)

9.1.2 Notwithstanding Section 9.1.1, setbacks in hamlets shall be in accordance with those established in the Hamlet Residential (HR), Hamlet Commercial (HC), and Hamlet Industrial (HI) Districts.

9.1.3 Pursuant to the Public Highways Development Act, developments occurring within 400 m of the right-of-way of a highway or within 800 m of an intersection of a district road with a highway will require a Highway Development Permit from Alberta Transportation.

9.1.4 The construction of approaches shall meet the standards of the Superintendent of Public Works for the Municipal District.

9.1.5 Where a planting and/or establishment of trees adjacent to a municipal road for a shelterbelt, hedge or similar purpose is intended, a minimum setback of 8 m (25 ft) from the nearest property line of the roadway right-of-way shall be required.

9.2 ENVIRONMENTAL STANDARDS

9.2.1 Development shall not be allowed to detrimentally affect natural features such as ponds, streams, wetlands, and forested areas. In order to mitigate potential impacts, the following land management practices shall be followed:

- a) Natural vegetation shall be retained and protected wherever possible;
- b) Stripping of vegetation or grading shall be done in a manner which will minimize soil erosion by ensuring that the extent of the disturbed area and the duration of its exposure is minimized;
- c) Development within or in proximity to wetland areas shall only be undertaken if:
 - i) alterations in the natural flow of water which nourishes the wetlands are minimized,
 - ii) wetlands are protected from adverse dredging or in-filling practices, siltation or the addition of pesticides, salts or toxic materials, and
 - iii) all necessary approvals are obtained from Alberta Environment;

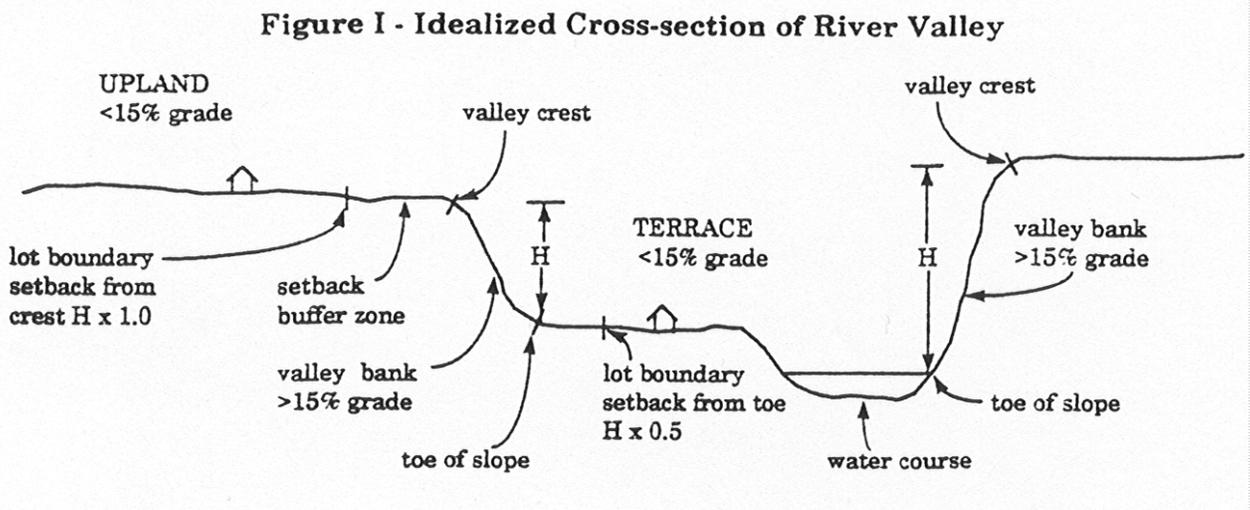
¹ Added by Bylaw No. 13-700 February 11, 2014

- d) All developments shall be designed to ensure that storm water runoff to adjacent lands or watercourses does not exceed pre-development flows;
- e) Developments shall not adversely affect groundwater resources, or disturb natural drainage patterns or watercourses, unless such measures are necessary to serve a proposed development and receive approval from Alberta Environment

9.2.2 The following distances from a watercourse or water body banks are to be used as a guideline.

Depth of Bank	Setback Requirement
Less than 7.5 m (25 ft)	At the discretion of the Development Authority
Between 7.5 m (25 ft) and 15 m (50 ft)	23 m (75 ft)
Between 15 m (50 ft) and 30 m (100 ft)	46 m (150 ft)
More than 30 m (100 ft)	61 m (200 ft)

- a) For banks with a smooth and uninterrupted grade, the depth will be considered to be the vertical distance from the valley crest to the toe of the slope (refer to Figure I below):



- b) For banks which fall in a series of benches, the depth of the bank will be considered as the vertical distance between the valley crest to the toe of the slope of the next adjacent bench;
- c) Where development is proposed to locate on a bench below the bank top, the development will be required to meet the setback requirement from both the upper and lower benches;
- d) Minimum setback requirements from water bodies shall be based upon access requirements to the shoreline and development potential of the site at the discretion of the Development Authority. The Development Authority may vary the required setback for watercourses and water bodies having regard for recommendations from Alberta Environment and other government bodies;

9.3 EXTERIOR LIGHTING

In no case shall exterior lighting be placed so as to be a hazard or a nuisance to roadway traffic and adjacent properties, and shall be deflected away from public roadways.

9.4 PARKING REQUIREMENTS

9.4.1 All developments shall be required to provide adequate on-site parking to the satisfaction of the Development Authority.

9.4.2 All parking spaces shall be located on the same site as the building or use for which it is required, and shall be designed, located and constructed so that it is easily accessible and can be properly maintained.

9.4.3 All off-street parking shall be provided in the manner shown on an approved site plan with the entire area to be graded so as to ensure that drainage will be disposed of in a manner satisfactory to the Development Authority.

9.5 DANGEROUS GOODS

9.5.1 The Development Authority may issue a Development Permit for a use involving the manufacture or storage of dangerous goods or products provided that the use is located:

- a) At least 1,000 m from an urban center, hamlet, country residential or other populated area, unless within a recognized rural industrial park;
- b) At least 1,000 m from any recreation area;
- c) In an area not subject to high water tables, flooding or significant surface water flows; or
- d) In an area where ground water is not used as a potable water source.

9.5.2 All Development Permit applications respecting dangerous goods shall be referred to the appropriate regulatory authority for comment.

9.6 LANDSCAPING AND SCREENING

9.6.1 Any area required to be landscaped may, at the discretion of the Development Authority, be left in its natural state or be planted with grass, trees, shrubs and/or flowers, or similar materials or a combination thereof, which enhance the appearance of the site and which complement the development thereon.

9.6.2 The Development Authority may require screening to be provided in order to visually separate uses that detract from the surrounding area or are incompatible with adjacent uses. Special attention shall be given to proposals, which, in the opinion of the Development Authority detract from the natural landscape or the view of the traveling public. Such screening shall be of a quality and dimension satisfactory to the Development Authority.

9.7 RELOCATION OF BUILDINGS

- 9.7.1 When a Development Permit is to be granted for the relocation of a building, not including a mobile home or accessory building, the Development Authority may require the applicant to provide:
- a) A performance bond of such an amount to ensure completion of any renovations set out as a condition of the permit approval, and;
 - b) An engineer's certificate to confirm that the building is structurally sound.
- 9.7.2 Renovations shall be completed within one (1) year of the issuance of a Development Permit.

9.8 HOME OCCUPATIONS

- 9.8.1 Home occupations shall be limited to those uses that are approved by the Development Authority. Those uses shall not interfere with the rights of other residents to the quiet enjoyment of their properties.
- 9.8.2 Home occupations (minor) shall be incidental and subordinate to the principal residential use, and shall be restricted to the dwelling unit. In addition, such home occupations shall not:
- a) Employ any person other than a resident of the dwelling unit;
 - b) Occupy an area greater than 30 m² (323 ft²);
 - c) Require alterations to the principal building unless approved by the Development Authority;
 - d) Create a nuisance by way of dust, noise, smell, smoke or traffic generation;
 - e) Have outside storage of materials, goods or equipment on or off the site, and;
 - f) Display any form of commercial advertising, wares or products discernible from the outside of the building but may display one (1) unlighted sign, not exceeding 900 cm² (140 in²), in a window or affixed to the exterior of the building.
- 9.8.3 Home occupations (major) shall be incidental and subordinate to the residential use and shall be restricted to the residential yard site. In addition, such home occupations shall:
- a) Not employ any more than one (1) person other than the occupants of the principal on-site residential building;
 - b) Not store or maintain any goods, materials, or equipment not directly related to the operation;
 - c) Not create a nuisance by way of dust, noise, smell, smoke or traffic generation;
 - d) Be confined to a limited area not to exceed 0.4 ha (1 ac) in size, and;
 - e) Limit on-site advertising to one (1) unlighted sign not to exceed 1 m² (11 ft²).

9.9 SMALL SCALE INDUSTRIAL PURSUITS

9.9.1 Small scale industrial pursuits shall be no more than supplementary to the use of a parcel of land for agricultural purposes and shall not:

- a) Take place on a parcel of land or portion of a quarter section greater than 4 ha (10 ac) in size;
- b) Take place on a parcel used for residential purposes;
- c) Employ in excess of ten persons;
- d) Create a nuisance by way of dust, noise, smell, smoke or traffic generation.

9.10 SIGN CONTROL

9.10.1 No sign shall be erected on land or affixed to any building or structure unless approved by the Development Authority.

9.10.2 No sign shall be placed within 300 m (984 ft) of a highway or within 800 m (1/2 mile) of the intersection of a highway and public road unless approval is obtained from Alberta Transportation pursuant to the Public Highway Development Act.

9.10.3 An application for one or more signs shall not be approved if, in the opinion of the Development Authority, the sign would:

- a) Unduly interfere with the amenities of the area;
- b) Materially interfere with or affect the use, enjoyment or value of neighboring properties, or;
- c) Create a safety hazard to adjacent properties or to members of the traveling public by way of impairing sight lines.

9.10.4 All signs shall be kept in good repair and maintained in a manner satisfactory to the Development Authority.

9.10.5 The quality, aesthetic character, materials, and finishing of sign construction shall be to the satisfaction of the Development Authority.

9.10.6 Development Permit applications for signs shall include:

- (a) drawings that provide the dimensions, area, material, finishes, colours, size of lettering, wording and graphics, method of illumination, and mounting or erection details;
- (b) drawings or photos which show the location and separation distances between all existing and proposed signs.

9.11 MANUFACTURED HOMES

- 9.11.1 All manufactured homes shall be of sound construction and appearance to the satisfaction of the Development Authority.
- 9.11.2 No manufactured home older than 25 years of age shall locate in a manufactured home park, Country Residential District, or a Hamlet Residential District unless it has been upgraded or renovated to the satisfaction of the Development Authority and meets the requirements of the Alberta Building Code.
- 9.11.3 Any additions to a manufactured home must be of sound construction and must be finished in such a manner as to not detract from the appearance of the manufactured home or adjacent properties.
- 9.11.4 All manufactured homes shall be adequately skirted and serviced by a water supply, sewage system, and utilities to the satisfaction of the Development Authority.

9.12 OBJECTS RESTRICTED IN RESIDENTIAL AREAS

- 9.12.1 In the Country Residential 2, Hamlet Residential, and Manufactured Home Park Districts, no person shall:
- a) Travel upon any internal subdivision roads with any commercial vehicle at or in excess of 50% Gross Vehicle Weight;
 - b) Keep any dismantled or wrecked vehicle for more than fourteen (14) consecutive days;
 - c) Keep accumulated quantities of metal, wood or other materials which are visible from the front yard or internal subdivision road;
 - d) Keep any material or objects, which, by their nature, may be offensive due to odors, emissions, or potential for runoff or contamination of the subject property or adjacent properties.

9.13 WORK/OPEN¹ CAMPS

- 9.13.1 If a proposed work/open¹ camp is to be established for any reason other than for well drilling purposes, a Development Permit shall be required.
- 9.13.2 A Development Permit for a work/open¹ camp shall only be valid for a period of one (1) year from its date of issuance, at which time an application may be made for a continuance of the use.
- 9.13.3 Reclamation of work/open¹ camp sites must be to a standard satisfactory to the Municipal District of Greenview. The following standards shall apply to the reclamation of work camp sites:
- a) All garbage, building materials and equipment must be removed from the site;
 - b) The site must be adequately leveled and re-contoured;

¹ Added by Bylaw No. 13-700 February 11, 2014

- c) The developers of a work camp site will be responsible for weed control on the site for the duration of the location of the camp and for as long a period as any weed infestation, attributable to the operator, remains uncontrolled;
- d) All disturbed areas must be seeded with a minimum of Certified #1 seed. Applicants are required to submit a Purity Analysis to the Agricultural Fieldman for the Municipal District. The Purity Analysis will be checked for the presence of undesirable weed species. This measure will help prevent future weed control problems on the site.

9.14 REMOVAL OF TOPSOIL

A Development Permit for the removal of topsoil shall only be granted where it is shown to the satisfaction of the Development Officer that the land will not be made derelict by its removal. The Development Officer may refer any application for removal of topsoil to the Soil Conservation Officer acting under the Soil Conservation Act for approval.

9.15 DUGOUTS

9.15.1 Dugouts shall be set back minimum distances as follows:

- a) From a property line not adjacent to a road allowance, the minimum setback must be 15 m (50 ft);
- b) From a road allowance, dugouts must be located 41 m (134 ft) from the property line of the road allowance.

9.15.2 Dugouts located within the required setback distances in 9.15.1 above, must meet the following requirements:

- a) Must apply for a Development Permit;
- b) Must provide adequate fencing, guardrails, and/or berming to the satisfaction of the Development Authority. Such berming, fencing, or guardrails must be constructed so as to prevent the dugout location from being a hazard to the traveling public. The size, type, and location of the berming, fencing, or guardrails required will be site specific and will be determined at the time of an application. Such applications will be referred to the Superintendent of Public Works for input as to required design standards.

9.16 DWELLING UNITS PER LOT

9.16.1 No person shall construct or cause to be constructed more than one dwelling unit per lot.

9.16.2 Section 9.16.1 does not apply to:

- (a) semi-detached dwellings
- (b) duplexes
- (c) dwellings containing basement suites

- (d) row housing
- (e) dwellings that are located within an approved manufactured home park
- (f) a second or additional dwelling on an agricultural lot over 32.4 ha (80 ac) in size
- (g) a second dwelling on an agricultural lot under 32.4 ha (80 ac) in size if required to accommodate farm labour or to serve as a garden suite
- (h) a second dwelling on a residential lot under 4.0 ha (10 ac) in size if the dwelling is to serve as a garden suite.

9.16.3 The Development Authority may allow a garden suite on a parcel only if such a dwelling, in the opinion of the Development Authority would not:

- (a) materially interfere with or affect the use and enjoyment of adjacent properties;
- (b) adversely impact on the environment;
- (c) result in excessive demand on municipal services, utilities and public road access; or
- (d) cause a building to become a duplex, semi-detached dwelling, row housing, or an apartment.

9.16.4 The Development Authority shall only allow a garden suite on a temporary basis, the specific time period for which shall be identified in the development permit.

9.17 ACCESSORY BUILDINGS

9.17.1 Where an accessory building is attached to the principal building on a site by a roof or an open or enclosed structure, it is to be considered a part of the principal building

9.17.2 An accessory building on a corner lot shall be so situated that its side yard which borders on a road shall be not less than the side yard of the main building.

9.17.3 With the exception of a caretaker's residence or family care dwelling, an accessory building shall not be used as a dwelling.

9.17.4 In the Hamlet Residential (HR), and Country Residential Two (CR-2) Districts, an accessory building shall be not more than 223 m² (2,400 ft²) in area with a maximum building lot coverage of not greater than 45% unless otherwise approved by the Development Authority.¹

¹ Section 9.17.4 Revised by Bylaw No. 14-730 January 27, 2015

9.18 WIND ENERGY CONVERSION SYSTEMS (WECS)

9.18.1 DEFINITIONS:

The following definitions apply to this part:

"BLADE" means an element of a WECS rotor which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

"BLADE CLEARANCE" is in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

"GUY CABLE" means any cable or wire that extends from a Wind Energy System for the purpose of supporting the structure.

"HORIZONTAL AXIS ROTOR" is a wind energy conversion system where the rotor is mounted on an axis horizontal to the earth's surface, typical of conventional or traditional windmills.

"ROTOR'S ARC" means the largest circumferential path travelled by a WECS' blade.

"SHADOW OR FLICKER" means the repetitive moving shadows or reflections cast by the rotor blades as they cut through the sun or the sunlight.

"TOTAL HEIGHT" means the height from the grade to the highest vertical extension of a WECS. In the case of a WECS with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.

"TOWER" means the structure which supports the rotor above grade.

"TURBINE" means the parts of a Wind Energy Conversion System including blades, generator, and tail. The definition of a turbine includes both horizontal axis and vertical axis wind arrangements.

"VERTICAL AXIS ROTOR" means a WECS where the rotor is mounted on an axis perpendicular to the earth's surface.

"WIND FARM OR PROJECT" means a power plant consisting of a group of wind turbines and related facilities connected to the same substation or metering point used for the production of electric power. The wind farm boundary is defined by all titled parcels participating in the project.

"WIND ENERGY CONVERSION SYSTEM" means a single structure consisting of a one turbine and accessory equipment designed to convert wind energy into electrical energy.

9.18.2 CATEGORIES OF WECS:

For the purpose of this Bylaw WECS are categorized as follows:

a) **CATEGORY 1 WECS:**

WECS in this category shall be a discretionary use. The WECS total height shall be 15 m (50 ft) or less. Only one WECS shall be approved per titled parcel (see 9.18.3 through 9.18.5).

b) **CATEGORY 2 WECS:**

WECS in this category shall be a discretionary use. The WECS total height shall be greater than 15 m (50 ft) and less than 35 m (115 ft). Only one WECS shall be approved per titled parcel (see 9.18.3 through 9.18.5).

c) **CATEGORY 3 WECS:**

WECS in this category shall be designated to the Industrial Land Use District. A Category 3 WECS is defined by either:

- i) A single WECS with a total height of 35 m (115 ft) or greater, or
- ii) Where the applicant proposes a **wind farm** with more than one WECS of any height per titled parcel.

9.18.3 APPLICATION REQUIREMENTS FOR WECS:

a) Applications for WECS shall be accompanied by:

- i) The manufacturer's information on WECS rated output in kilowatts, safety features, and sound characteristics, type of material used in tower, blade and or rotor construction;
- ii) Appropriate letter of approval from NAV Canada;

b) Shadow and flicker, and noise data which shall be considered for approval;

c) An analysis for noise to any property line;

d) Scaled drawings of foundation and tower showing compliance with CSA standards and be certified by a professional engineer;

e) An accurate site plan showing and labeling the information including the exact location of the turbine (tower and rotor arc) including setbacks and building locations, overhead utility locations, contours of the land, and access roads;

f) Reclamation or decommissioning plan outlining how the WECS site will be reclaimed after it discontinues producing power. Should a WECS discontinue producing power for two (2) years, the WECS operator shall provide a status report to the Approving Authority. A review of the status report may result in a request for the WECS to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the Municipal Government Act, and

g) Other information that may be required by the Development Authority.

9.18.4 ADDITIONAL REQUIREMENTS FOR WECS:

- a) Unless otherwise required by the Approving Authority, a WECS shall be finished in a non-reflective matte and in a color with minimizes the obtrusive impact of a WECS to the satisfaction of the Approving Authority;
- b) No advertising shall appear on the tower or blades. On other parts of the WECS, the only lettering will be the manufacture's and/or owner's identification.

9.18.5 PUBLIC HEARING:

- a) Council shall hold a Public Hearing prior to consideration of the permit by the Development Authority.

9.18.6 SETBACKS, DECOMMISSIONING, EXEMPTION FOR CATEGORY 1 AND 2 WECS:

- a) The tower base of the Category 1 and 2 WECS shall be setback from a property line as follows:
 - i) Front Yard: No less than two times the total height of the WECS to a minimum of 41 m (134 ft);
 - ii) Side and Rear Yards: No less than two times the total height of the WECS; and
- a) A minimum of 400 m from a neighboring residence.
- b) No part of a WECS including, but not limited to, guy wire anchors and/or foundations, may extend into minimum setback areas defined within the Land Use Bylaw.
- d) Small wind energy systems i.e. dugout aeration systems which are utilized for charging batteries for livestock watering and electric fencing are exempt.

9.18.7 ADDITIONAL APPLICATION REQUIREMENTS FOR CATEGORY 3 WECS:

- a) A WECS application shall be submitted for each titled parcel.
- b) Prior to making a decision on a development application for a WECS, the developer shall provide the MD of Greenview with copies of appropriate reports, comments and requests for approvals from the following:
 - i) Alberta Utilities commission;
 - ii) Transport Canada;
 - iii) NAV Canada;
 - iv) Alberta Community Development;
 - v) Alberta Environment;
 - vi) Alberta Transportation;
 - vii) ATCO Electric;
 - viii) Stars.
- c) In balancing existing land uses and the development of **Category 3 WECS** developers must minimize impacts **and a WECS shall not be located:**

- i) Within 2 km (1.2 miles) of a neighboring property and habitable or occupied residence;
 - ii) Within 1.6 km (1.0 miles) of a provincially controlled Highway;
 - iii) Within 3.2 km (2.0 miles) of the boundary of a provincially or federally designated parks; and
 - iv) Within 2 km (1.2 miles) of a developed Country Residential Subdivision or Hamlet.
- d) All development applications for a **Category 3 WECS** shall be accompanied by:
- e) An accurate site plan showing and labeling the information including the exact location of each existing and proposed wind turbine (tower and rotor arc) including setbacks as defined in Sections 9.18.10 through 9.18.12 (in chart form), all associated substations, collection and transmission system on or abutting the subject lot, or parcel and contours of the land and access roads for the complete wind farm;
- f) An accurate plan showing the titled parcels and location of WECS within each application;
- g) A digital database listing exact location and base elevation of each wind turbine in a format acceptable to the M.D. (NAD 83 Geographical Coordinates);

9.18.8 VISUAL REPRESENTATION, TURBINE SPECS, NOISE & SHADOW / FLICKER FOR CATEGORY 3 WECS:

- a) Visual representation depicting the wind farm from:
- i) No further than 5 km (3.1 mi) away;
 - ii) Each accessible residence within 2 km (1.2 mi) of the wind farm boundaries; and
 - iii) Any significant sites as determined by the Approving Authority.
- iv) Visual representation shall include:
Photographs and/or digital information of the proposed WECS showing total height, tower height, rotor diameter, color and the landscape, and photographs and/or digital information modeled on visual conditions.
- b) The turbine specifications indicating:
- i) The WECS maximum rated output in kilowatts;
 - ii) Safety features and sound characteristics; and
 - iii) Type of tower dimensions of tower and rotor.
- c) Analysis for potential noise at the following:
- i) The site of the tower;
 - ii) The boundary of the development; and
 - iii) At any habitable or occupied residence within 2 km (1.2 mi) of any turbine.
- d) The potential for shadow or flicker at the following:
- i) The boundary of the development; and
 - ii) At any habitable or occupied residence within 2 km (1.2 mi) of any turbine.
- e) A report regarding any public information meetings or other process conducted by the developer;
- f) Any impacts to the local road system including required approaches from public roads.

9.18.9 REFERRALS FOR CATEGORY 3 WECS:

Prior to making a decision on a development application for a WECS, the Approving Authority shall refer and consider the input from the following:

- a) An adjacent jurisdiction if its boundaries are located within 2 km (1.2 mi) of the proposed wind farm project boundary;
- b) Landowners within a 2 km (1.2 mi) of the wind farm project boundary; and
- c) Other relevant regulatory authorities and agencies.

9.18.10 SETBACKS FOR CATEGORY 3 WECS:

- a) The minimum setbacks related to undeveloped or developed municipal roadways measured from the tower base shall be the total height (as defined in this section) plus the standard road setback, and must meet the requirements of Section 9.18.3.
- b) The minimum setback related to an Alberta Highway right-of-way shall be determined by Alberta Transportation.
- c) Where adjacent properties (inside the wind farm boundary) are located without a road allowance separation, the setback from the property line shall be 15 m (50 ft) from the outside rotor arc.
- d) Where adjacent properties (outside the wind farm boundary) are located without a road allowance separation, the minimum setback to the property line measured from the tower base shall be no less than the total height (as defined in this section) plus ten (10) percent unless a caveat is registered on title, in which case a waiver may be granted.
- e) Where, in the opinion of the Approving Authority, the setbacks referred to in Section 9.18.9 are not sufficient to reduce the impact of a WECS, the Development Authority may increase the required setbacks.

9.18.11 NOISE & AFFECTED LANDOWNERS FOR CATEGORY 3 WECS:

- a) At no time shall the modeled sound level of a WECS at the wind farm boundary exceed 45dBA unless:
 - i) An easement as approved by the Development Authority, is agreed to by the affected land owners and registered on the affected title, or
 - iii) If the affected landowner is the crown or an agent of the crown, excluding statutory roads or road plans, and will be asked for comment under a different clause in this Bylaw.

9.18.12 MINIMUM BLADE CLEARANCE FOR CATEGORY 3 WECS:

- a) The minimum vertical blade clearance from grade shall be 15 m (50 ft) for a WECS employing a horizontal axis rotor unless otherwise required by the Development Authority.

9.18.13 TOWER ACCESS AND SAFETY FOR CATEGORY 3 WECS:

- a) To ensure public safety, the development authority may require that:
 - i) A security fence with a lockable gate shall surround a WECS tower not less than 1.8 m (6 ft) in height if the tower is climbable or subject to vandalism that could threaten tower integrity;
 - ii) No ladder or permanent tower access device shall be located less than 3.7 m (12 ft) from grade;
 - iii) A locked device shall be installed on the tower to preclude access to the top of the tower;
 - iv) All of the above be provided or such additional safety mechanisms or procedures be provided as the Approving Authority considers reasonable and appropriate; and
 - v) The use of tubular towers, with locked door access, will preclude the above requirements.

9.18.14 DISTRIBUTION LINES FOR CATEGORY 3 WECS:

- a) All collector lines (less than 69kv) within the wind farm boundary will be underground.

9.18.15 REPOWERING FOR CATEGORY 3 WECS:

- a) Should a developer propose alteration, retooling, or repowering of an existing wind farm where the equipment has changed from the original approval, the developer shall apply for a new development permit.
- b) Should a developer propose infill development (adding new wind turbines) within an existing wind farm, the developer shall apply for a new development permit.
- c) A repowering project as described above shall require a re-designation to the Industrial District.

9.19 SOLAR COLLECTORS

9.19.1 DEFINITION:

The following definition applies to this part:

"**SOLAR COLLECTORS**" means any of several devices that absorb and accumulate solar radiation for use as a source of energy generating energy for system greater than 10 kilowatts. Average panel dimensions being 0.61 meters (2 ft) by 1.22 meters (4 ft).

- a) A Solar collector may be located on the wall or roof of a building, or as otherwise approved by the Development Authority.

9.19.2 SETBACKS, DECOMMISSIONING, EXEMPTION FOR SOLAR COLLECTORS:

- a) The solar collector shall be setback from a property line as follows:
 - i) Front Yard: A minimum of 41 m (134 ft);
 - ii) Side and Rear Yards: A minimum of 15 m (50 ft); and
- b) Reclamation or decommissioning plan outlining how the solar collector will be reclaimed after it discontinues producing power. Should the solar collector discontinue producing power for two (2) years, the owner/operator shall provide a status report to the Approving Authority. A review of the status report may result in a request for the solar collector to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop order by the designated officer in accordance with the provisions of the Municipal Government Act.
- c) Solar Collectors that generate energy less than 10 kilowatts including those used for dugout and water well systems; or those utilized for charging batteries for livestock watering and electric fencing are exempt.

9.19.3 LOCATION:

- a) A Solar collector mounted on a roof with a pitch of less than 4:12 may project a **maximum** of 2 m (6.5 ft) from the surface of the roof and must not extend beyond the outermost edge of the roof.
- b) A solar collector mounted on a roof with a pitch of 4:12 or greater pitch:
 - i) May project a **maximum** of 1.3 m (4.2 ft) from the surface of the roof; and
 - ii) Must not extend beyond the outermost edge of the roof.
- c) A solar collector that is mounted on a wall:
 - i) Must be located a **maximum** of 2.4 m (7.8 ft) above grade; and
 - ii) May project a **maximum** of 0.6 m (2 ft) from a surface of that wall.

9.19.4 ALTERATIONS REQUIRE A PERMIT:

- a) Should a developer propose alteration or repowering of an existing solar collector where the equipment has changed from the original approval, the developer shall apply for a new development permit.

Section 9.19 Added by Bylaw No. 10-628 December 15, 2010

9.20 COMMUNICATION FACILITIES

Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location and height of radio communication facilities, including radio, television and microwave transmission facilities. In making its decision regarding transmission, communication and related facilities, Industry Canada considers the following:

- a) The input provided by the land-use authority;
- b) Compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
- c) Health Canada's safety guidelines respecting limits of exposure to radio frequency fields;
- d) An environmental assessment may be required in order to comply with the Canadian Environmental Assessment Act; and
- e) Participation with the MD in the consultation process does not transfer any federal decision-making authority, nor does it confer a right of veto in the location of the radio communication facility.

9.20.1 An antenna and supporting structure for the following uses are discretionary in all non-residential districts:

- a) Radio and television transmission;
- b) Two-way radio;
- c) Common carriers;
- d) Land-mobile systems; and
- e) Fixed point microwave.

9.20.2 Unless demonstrated to be impractical, transmission antennae shall be mounted on existing structures (including buildings or towers) or within transportation and utility corridors.

9.20.3 The tower base shall be setback from abutting parcels and roadways by a distance of 20% of the tower height or the distance between the tower base and guy wire anchors, whichever is greater.

9.20.4 *Guy wire* anchors shall be setback at least 3.0 m from the property line.

9.20.5 Transmission towers must have the least practical adverse visual effect on the environment. This may be mitigated through landscaping and/or fencing, etc.

9.20.6 Sites for commercial communication towers shall be fenced with suitable protective anti-climb fencing as required by the Development Authority.

9.20.7 Communication antennae and structures to be located in all districts shall obtain a development permit where they exceed 4.6 m in height from grade.

Section 9.20 Added by Bylaw No. 13-700 February 11, 2014

9.20.8 An application for a development permit shall include a site plan drawn to scale and identifying the site boundary; tower; guy wire anchors; existing and proposed structures; vehicular parking and access; existing vegetation to be retained, removed, or replaced; and uses and structures on the site and abutting properties.

9.20.9 The Development Authority may require additional information to properly evaluate the proposal.

Section 9.20 Added by Bylaw No. 13-700 February 11, 2014

SECTION 10 ESTABLISHMENT OF DISTRICTS

10.1 DISTRICT CLASSIFICATION

For the purpose of this Bylaw, lands within the boundaries of the Municipal District of Greenview No. 16 shall be divided into the following districts:

District	Symbol
Agriculture	A
Country Residential One	CR-1
Country Residential Two	CR-2
Rural Commercial	RC
Industrial	I
Hamlet Residential	HR
Hamlet Commercial	HC
Hamlet Industrial	HI
Manufactured Home Park	MHP
Recreation	R
Rural Settlement	RS
Crown Land	CL
Direct Control	DC
Airport Vicinity	AV

10.2 DISTRICT SYMBOLS

Throughout this Bylaw and any amendments thereto, a district may be referred to either by its full name, or by its symbol as established in Section 10.1.

10.3 DISTRICT MAPS

- 10.3.1 The District Maps, as may be amended or replaced from time to time, are those maps attached to and forming part of this Bylaw as Schedule "A".
- 10.3.2 In the event that a dispute arises over the precise location of a boundary of any district as shown on the District Maps, Council may upon investigation decide upon the boundaries.

SECTION 11 DISTRICT RULES

11.1 AGRICULTURE (A) DISTRICT

11.1.1 PURPOSE

The purpose of this District is to protect and preserve better agricultural lands. The uses allowed in this District are those which are compatible with extensive agricultural operations, and which minimize the loss of agricultural lands to non-agricultural uses:

Permitted Uses

Accessory Buildings and Uses
Agriculture (Extensive)
Dugouts
Manufactured Homes
Public Uses
Public Utilities
Single Family Dwellings

Discretionary Uses

Agricultural Industries
Agriculture (Intensive)
Airports and Airstrips
Apiaries
Compressor Stations
Confined Feeding Operations
Garden Suites
Home Occupations (Major)
Home Occupations (Minor)
Kennels
Meter Stations
Recreation (Extensive)
Removal of Topsoil
Sand and Gravel Extraction and Stockpiling
Sawmills
Signs
Small Scale Industrial Pursuits
Solar Collectors¹
Temporary Outdoor Pipe and Equipment Storage
Wind Energy Conversion Systems (Category 1 or 2)¹

11.1.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

a) Lot Area:

- i) Farmstead Separation or Country Residential Parcel:

Minimum:	1.2 ha (3 ac)
Maximum:	4.0 ha (10 ac), or at the discretion of the Development Authority, based on the need to accommodate related farm buildings and improvements.

¹ Added by Bylaw No. 10-628 December 15, 2010

- ii) Extensive Agriculture: 64.7 ha (160 ac) or at the discretion of the Development Authority.
- iii) All Other Uses: At the discretion of the Development Authority.
- b) Front Yard (min): See Section 9.1
- c) Rear Yard (min): 15 m (50 ft)
- d) Side Yard (min): 15 m (50 ft)
- e) Lot Density: One (1) lot plus the balance of an unsubdivided quarter section.¹

11.1.3 Additional Requirements: Confined Feeding Operations

All applications for confined feeding operations are to be submitted to the Natural Resources Conservation Board for review and approval in accordance with the Agricultural Operation Practices Act.

¹ Changed by Bylaw No. 09-594 July 8, 2009

11.2 COUNTRY RESIDENTIAL ONE (CR-1) DISTRICT

11.2.1 PURPOSE

The purpose of this District is to accommodate country residential development that is compatible with the agricultural community. The development will be of a low density and will allow the keeping of limited numbers of livestock (farm animals and other animals not normally recognized as pets).

Permitted Uses

Accessory Buildings and Uses
 Manufactured Homes
 Public Uses
 Public Utilities
 Single Family Dwellings

Discretionary Uses

Garden Suites
 Home Occupations (major)
 Home Occupations (minor)
 Minor Agricultural Pursuits
 Signs
 Solar Collectors*²
 Wind Energy Conversion Systems (Category 1 or 2)*²

11.2.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- a) Lot Area:
- | | |
|-------------------------|--|
| i) Country Residential: | Minimum: 1.2 ha (3 ac) |
| | Maximum: 4.0 ha (10 ac) |
| ii) All Other Uses: | At the discretion of the Development Authority |
- b) Front Yard: See Section 9.1
- c) Side Yard (min):
- | | |
|--------------|-----------------|
| i) Interior | 15 m (50 ft) |
| ii) Exterior | See Section 9.1 |
- d) Rear Yard (min): 15 m (50 ft)
- e) Lot Density (max): 4 lots plus the balance of the quarter of an unsubdivided quarter section or fragmented parcel.*¹
- f) Building Height (max): 10 m (33 ft)

¹ Changed by Bylaw No. 09-594 July 8, 2009

² Added by Bylaw No.10-628 December 15, 2010

11.2.3 ADDITIONAL REQUIREMENTS: MINOR AGRICULTURAL PURSUITS

In this District, no person shall keep any livestock except in conformity with the following:

- a) Livestock shall be limited to no more than one (1) animal unit per acre or part thereof, to a maximum of three (3) animal units to be calculated in accordance with the following chart which is used to determine the appropriate number of livestock:

Type of Livestock	# of Animals Equivalent
Dairy Cow (plus calf under 6 months)	1
Beef Cow (plus calf under 6 months)	1
Bison (plus calf under 6 months)	1
Horse (plus foal under 6 months)	1
Sheep/Goats (plus lambs / kids under 6 months)	2
Pigs (plus offspring under 2 months)	2
Fowl	50
Rabbits	30
Exotic livestock animals: Alpacas / Llamas	2
Ostrich / Emus	2
Others	At the discretion of the Development Authority.

- b) Adequate fencing and/or buffering shall be constructed to the satisfaction of the Development Authority to ensure the on-site confinement of animals and to reduce the impact of noise or visual presence on surrounding properties, and;
- c) Adequate measures to provide for the disposal of animal wastes shall be provided to the satisfaction of the Development Authority.

11.3 COUNTRY RESIDENTIAL TWO (CR-2) DISTRICT

11.3.1 PURPOSE

The purpose of this District is to accommodate a higher density of multiple lot country residential development in the Municipal District at select sites where the provision of municipal and/or community-type services would in turn support such developments.

Permitted Uses	Discretionary Uses
Accessory Buildings and Uses	Garden Suites
Public Uses	Home Occupations (Minor)
Public Utilities	Manufactured Homes
Single Family Dwellings	Recreation (Extensive)
	Signs
	Solar Collectors* ¹

11.3.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

- a) Lot Area:
- i) Country Residential with on-site servicing:
 - Minimum: 1.2 ha (3.0 ac)
 - Maximum: 4 ha (10 ac)
 - ii) Country Residential with municipal servicing:
 - Minimum: 0.2 ha (0.5 ac)
 - Maximum: 2 ha (5 ac)
 - iii) All Other Uses: At the discretion of the Development Authority
- b) Front Yard (min): See Section 9.1
- c) Side Yard (min):
- i) Interior: 3 m (10 ft) for lots less than 0.14 ha (15,000 ft²)
7.6 m (25 ft) for all other cases
 - ii) Exterior: See Section 9.1
- d) Rear Yard (min): 7.6 m (25 ft)

¹ Added by Bylaw No.10-628 December 15, 2010

- | | | |
|---------------------------|----------------------|---------------------------|
| e) Lot Density (max): | On-site Servicing: | 8 lots plus the balance. |
| | Municipal Servicing: | 26 lots plus the balance. |
| f) Building Height (max): | 10 m (33 ft) | |

11.3.3 ADDITIONAL REQUIREMENTS

- a) For the purpose of this District, municipal servicing includes on-site sewage holding tanks that will be disposed of in a municipal sewage lagoon by pipe or truck hauling, and an acceptable municipal or on-site water supply;
- b) Design guidelines for multiple lot country residential development includes:
 - i) The provision of on-site parking,
 - ii) Road dedication shall be allocated and designed to satisfy the needs of the proposed development, although kept to a minimum. The Municipal District will not accept unused and unnecessary roads and as such double frontage lots will not be allowed,
 - iii) Access to lots may be shared where possible, via common driveways located at common property lines,
 - iv) As a component of drainage management and as a water supply for fire protection, the provision of dugouts is encouraged where municipal water supplies are not available. The dugouts should be located along main access roads, and should be bermed on all sides adjacent to roadways as a safety precaution;
- c) Objects restricted in this District are in accordance with Section 9.12 of this Bylaw.
- d) The keeping of livestock is not permitted in this District.
- e) Fencing Standards – no barbed wire, single strand or high tensile wire fences are allowed in this district.

11.4 RURAL COMMERCIAL (RC) DISTRICT

11.4.1 PURPOSE

The purpose of this District is to provide for commercial uses located away from hamlets and rural settlements. Such developments may serve the traveling public or rural residents in the area.

Permitted Uses

Accessory Buildings and Uses
 Public Uses
 Public Utilities

Discretionary Uses

Bulk Fuel Sales
 Campgrounds
 Convenience Stores
 Dwelling unit if occupied by business operator or caretaker
 Emergency Services
 Hotels
 Motels
 Open Camps*²
 Recreation (Extensive)
 Recreation (Intensive)
 Restaurants
 Retail Sales and Service
 Service Stations and Gas Bars
 Signs
 Solar Collectors*¹
 Truck Stops
 Work Camps*²

11.4.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- a) Lot Area (min): At the discretion of the Development Authority based upon the principle of least area out of agricultural production and the area requirements of the proposed development, which includes such factors as future expansion, servicing, access, parking, screening, landscaping, and storage areas.
- b) Front Yard (min): See Section 9.1
- c) Side Yard (min): 15 m (50 ft). If adjacent to a roadway, Section 9.1 shall apply.
- d) Rear Yard (min): 15 m (50 ft)

¹ Added by Bylaw No.10-628 December 15, 2010

² Added by Bylaw No.13-700 February 11, 2014

11.5 INDUSTRIAL (I) DISTRICT

11.5.1 PURPOSE

The purpose of this District is to provide for industrial uses that require relatively large tracts of unserviced land and are related to natural resource or industrial development.

Permitted Uses

Accessory Buildings and Uses
Agriculture (Extensive)
Public Uses
Public Utilities

Discretionary Uses

Agricultural Industries
Auto Body and Paint Shops
Auto Wreckers and Salvage Yards
Dwelling unit if occupied by business operator or caretaker
Fuel Depots including Services Stations and Card Locks
Industrial Landfills
Large Scale Manufacturing Plants
Oil and Gas Processing Plants
Oil field waste disposal such as but not limited to land farms, deep well disposal systems
Open Camps²
Open or covered storage of goods, equipment, vehicles or machinery
Petrochemical Processing Plants
Rail Yards
Sand and gravel stockpiling and processing
Sawmills
Signs
Solar Collectors¹
Storage, processing or production of dangerous goods
Trucking Operations or Terminals
Wind Energy Conversion Systems (Category 3)¹
Work Camps²

11.5.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- | | |
|----------------------|---|
| a) Lot Area (min): | At the discretion of the Development Authority, based on the minimum amount required to accommodate the proposed use. |
| b) Front Yard (min): | See Section 9.1 |

¹ Added by Bylaw No.10-628 December 15, 2010

² Added by Bylaw No.13-700 February 11, 2014

- c) Side Yard (min): 15 m (50 ft). If adjacent to a roadway, Section 9.1 shall apply.
- d) Rear Yard (min): 15 m (50 ft)

11.5.3 ADDITIONAL REQUIREMENTS

- a) Developers in this District may be required to demonstrate an adequate water supply exists to provide for firefighting needs. This may be demonstrated by means of pump tests on wells or through the provision of dugouts or other stored water supplies;
- b) Emergency response plans may be required where the development involves the production, storage, or use of materials that may be hazardous.

11.6 HAMLET RESIDENTIAL (HR) DISTRICT

11.6.1 PURPOSE

The purpose of this District is to provide for a variety of residential dwelling types and other compatible uses within hamlets:

Permitted Uses

Accessory Buildings and Uses
Public Uses
Public Utilities
Single Family Dwellings

Discretionary Uses

Apartments
Child Care Facilities
Churches
Community Halls
Duplexes
Garden Suites
Home Occupations (Minor)
Manufactured Homes
Semi-detached Dwellings
Senior Citizen Homes
Signs
Solar Collectors*¹

11.6.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

a) Lot Area (min):

- i) Unserviced Lots: 1,860 m² (20,000 ft²)
- ii) Fully Serviced Lots: 465 m² (5,000 ft²)
- iii) Municipal Water Only: 1,395 m² (15,000 ft²)
- iv) Municipal Sewer Only: 930 m² (10,000 ft²)

b) Lot Width (min):

- i) Fully Serviced Lots: 15 m (50 ft)
- ii) All Other Lots: 30.5 m (100 ft)

c) Front Yard (min): 7.6 m (25 ft)

d) Side Yard (min):

- i) Interior: 1.5 m (5 ft)
- ii) Exterior: 3 m (10 ft)

¹ Added by Bylaw No.10-628 December 15, 2010

- e) Rear Yard (min): 1.5 m (5 ft)
- f) Building Height (max): 10 m (33 ft)
- g) Site Coverage (max): 40 percent
- h) Objects restricted in this District are in accordance with Section 9.12 of this Bylaw.
- i) The keeping of livestock is not permitted in this District.
- j) Fencing Standards – no barbed wire, single strand or high tensile wire fences are allowed in this district.

11.7 HAMLET COMMERCIAL (HC) DISTRICT

11.7.1 PURPOSE

The purpose of this District is to provide for a variety of commercial and tourism related developments within hamlets.

Permitted Uses	Discretionary Uses
Accessory Buildings and Uses	Automobile Dealerships
Public Uses	Bus Depots
Public Utilities	Business, Trade and Professional offices
	Car and Truck Washing Facilities
	Dwelling unit if occupied by business operator or caretaker
	Hotels
	Motels
	Personal Service Establishments
	Recreation (Intensive)
	Restaurants
	Retail Sales and Service
	Service Stations and Gas Bars
	Signs
	Solar Collectors* ¹

11.8.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- a) Lot Area (min): 400 m² (4,300 ft²)
- b) Front Yard (min): 7.6 m (25 ft)
- c) Side Yard (min):
 - i) Adjacent to Residential District: 3 m (10 ft)
 - ii) Exterior: 3.0 m (10 ft)
 - iii) Interior: 1.5 m (5 ft). If a firewall is provided, no side yard is required.
- d) Rear Yard (min): 7.6 m (25 ft)*¹

¹ Added by Bylaw No.10-628 December 15, 2010

11.8 HAMLET INDUSTRIAL (HI) DISTRICT

11.8.1 PURPOSE

The purpose of this District is to provide for a variety of industrial uses within hamlets.

Permitted Uses

Accessory Buildings and Uses
Public Uses
Public Utilities

Discretionary Uses

Agricultural Industries
Auto Body and Paint Shops
Auto Wreckers and Salvage Yards
General Contracting Firms
Lumber Yards
Manufacturing and processing of goods or products
Open storage of goods, equipment, vehicles or machinery
Signs
Solar Collectors*¹
Trucking Operations and Terminals
Warehouses
Wholesale Outlets

11.8.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- | | |
|----------------------|-----------------|
| a) Lot Area (min): | 0.2 ha (0.5 ac) |
| b) Lot Width (min): | 30.5 m (100 ft) |
| c) Front Yard (min): | 7.6 m (25 ft) |
| d) Side Yard (min): | 3 m (10 ft) |
| e) Rear Yard (min): | 7.6 m (25 ft) |

11.8.3 ADDITIONAL REQUIREMENTS

All storage areas or refuse collection areas shall be fully screened by berms, hedges, fences or other means to the satisfaction of the Development Authority.

¹ Added by Bylaw No.10-628 December 15, 2010

11.9 MANUFACTURED HOME PARK (MHP) DISTRICT

11.9.1 PURPOSE

The purpose of this District is to provide for the development of mobile home parks on those sites where municipal-type water and sewer facilities are provided.

Permitted Uses

Accessory Buildings and Uses
 Manufactured Homes
 Public Uses
 Public Utilities

Discretionary Uses

Convenience Stores
 Home Occupations (Minor)
 Laundromats
 Manufactured Home Parks
 Manufactured Home Park Offices
 Signs
 Solar Collectors*¹

11.9.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- a) Manufactured Home Park Lot Area (min):
 - i) Single-Wide: 465 m² (5,000 ft²)
 - ii) Double-Wide: 510 m² (5,500 ft²)
- b) Manufactured Home Park Lot Width (min):
 - i) Single-Wide: 9.7 m (32 ft)
 - ii) Double-Wide: 13.4 m (44 ft)
- c) Manufactured Home Park Lot Density (max): 50 units
- d) Front Yard (min): 6.1 m (20 ft)
- e) Side Yard (min): 1.5 m (5 ft)

In addition no manufactured home shall be located within 4.6 m (15 ft) of another manufactured home.

- f) Rear Yard (min): 6.1 m (20 ft)

¹ Added by Bylaw No.10-628 December 15, 2010

11.9.3 ADDITIONAL REQUIREMENTS

- a) Parking:
 - i) Two (2) on-site parking stalls shall be provided for each manufactured home park lot, and one (1) additional stall shall be provided for every five (5) manufactured home park lots to accommodate guest parking,
 - ii) Each parking stall shall be a minimum of 3 m (10 ft) in width and a minimum of 6.1 m (20 ft) in depth;
- b) Storage:
 - i) An off-site storage area for vehicles, recreational vehicles, watercraft and other items that cannot be stored on a manufactured home park lot shall be provided at a ratio of 18.6 m² (200 ft²) of storage area per manufactured home park lot,
 - ii) The above-noted storage area shall be enclosed or screened by trees, landscape features, fences, or a combination thereof;
- c) Design:
 - i) All applications for manufactured home parks shall be accompanied by detailed site plans, indicating lot layout, related facilities, road pattern, servicing, parking, and common areas,
 - ii) A minimum of 15 percent of the total manufactured home park area shall be set aside for common open space or recreation area,
 - iii) All areas of a manufactured home park not developed or occupied by roads, walkways, driveways, parking facilities, buildings or other developed facilities shall be grassed and landscaped to the satisfaction of the Development Authority,
 - iv) A utility corridor or emergency access corridor of 3 m (10 ft) shall be provided where manufactured home park lots back upon each other,
 - v) All internal roads and private accesses shall be of all weather construction to the satisfaction of the Development Authority;
- d) Mobile Homes located in this district must meet the requirements of Section 9.11 of this bylaw.
- e) Objects restricted in this District are in accordance with Section 9.12 of this Land Use Bylaw.
- f) The keeping of livestock is not permitted in this District.
- g) Fencing Standards – no barbed wire, single strand or high tensile wire fences are allowed in this district.

11.10 RECREATION (R) DISTRICT

11.10.1 PURPOSE

The purpose of this District is to provide for the development of recreational facilities and uses.

Permitted Uses

Accessory Buildings and Uses
Public Uses
Public Utilities

Discretionary Uses

Campgrounds
Concession Stands
Dwelling Unit if occupied by business operator or caretaker
Fairgrounds
Flying Clubs
Golf Courses
Gun Ranges
Marinas and Boating Facilities
Recreation (Extensive)
Recreation (Intensive)
Recreational Resorts
Riding Stables
Signs
Ski Hills
Solar Collectors*¹

11.10.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- | | |
|----------------------|--|
| a) Lot Area (min): | At the discretion of the Development Authority, based on the nature of the proposed use, servicing requirements, and potential impacts on adjacent properties and the environment. |
| b) Front Yard (min): | See Section 9.1 |
| c) Side Yard (min): | 15 m (50 ft). If adjacent to a roadway, Section 9.1 shall apply. |
| d) Rear Yard (min): | 15 m (50 ft) |

¹ Added by Bylaw No.10-628 December 15, 2010

11.10.3 ADDITIONAL REQUIREMENTS

The management of woodlands in their natural state is intended to preserve not only trees, but also the entire woodland ecology. Where developments are allowed, they shall be planned, constructed and maintained so that the existing healthy trees and native vegetation are preserved to the maximum extent feasible and are protected by adequate means during construction.

11.11 RURAL SETTLEMENT (RS) DISTRICT

11.11.1 PURPOSE

The purpose of this District is to provide for the development of lands in the following rural settlements that are not generally suited to any other District of this Bylaw.

Permitted Uses

Accessory Buildings and Uses
Manufactured Homes
Single Family Dwellings

Discretionary Uses

Campgrounds
Community Halls
Country Stores
Garden Suites
Home Occupations (Major)
Home Occupations (Minor)
Minor Agricultural Pursuits
Public Uses
Public Utilities
Recreation (Extensive)
Sand and Gravel Extraction and Stockpiling
Schools
Semi-detached Dwellings
Sewage Lagoons
Solar Collectors ¹

11.11.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District.

When deciding on an application for a Development in this District, the Development Authority shall consider the application, having regard to:

- a) The site provisions and additional requirements as established in the Hamlet Residential, Hamlet Commercial, Hamlet Industrial, or Country Residential Districts that could be applied to a specific development;
- b) The conformity of the proposed development with the Act, Subdivision and Development Regulations, the Municipal Development Plan, and any relevant Area Structure Plan, or Lake Management Plan that may be in effect in the area;
- c) The nature of existing land uses on adjacent properties;
- d) The adequacy of servicing that is proposed for the development, and
- e) Minor agricultural pursuits must not become a public health concern or nuisance to adjacent properties.

¹ Added by Bylaw No.10-628 December 15, 2010

11.12 CROWN LAND (CL) DISTRICT

11.12.1 PURPOSE

The purpose of this District is to provide for a variety of land uses on Crown Lands.

Permitted Uses

Accessory Buildings and Uses
Public Uses
Public Utilities

Discretionary Uses

Agriculture (Extensive)
Compressor Installations
Dehydrators
Kennels
Manufactured Homes
Meter Stations
Natural Resource Extractive Industries
Oil and Gas Processing Plants
Open Camps¹
Petrochemical Processing Plants
Pipe and Equipment Storage
Radio Towers
Recreation (Extensive)
Sand and Gravel Stockpiling and Processing
Sawmills and Planer Mills
Signs
Single Family Dwellings
Work Camps

11.12.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- a) Lot Area (min): As determined by the Development Authority based on the nature of the proposed use, servicing requirements, and impacts on surround land uses and the environment.
- b) Setback requirements: 15 m (50 ft.) for developments abutting titled lands, otherwise at the discretion of the Development Authority.
- c) Developments located adjacent to municipal roadways must meet the setback requirements of Section 9.1.

¹ Added by Bylaw No.13-700 February 11, 2014

11.12.3 ADDITIONAL REQUIREMENTS

- a) The Development Authority may issue a development permit for proposed developments on Crown Land subject to the appropriate disposition (lease, license, disposition leading to a patent, etc.) being first obtained from the Public Lands Division. Proof of the required disposition must be provided to the M.D. of Greenview.

- b) In instances where privately owned lands are shown on the District Map to be located in this District, those lands shall be considered as part of the Agriculture (A) District.

11.13 DIRECT CONTROL (DC) DISTRICT

11.13.1 PURPOSE

The purpose of this District is to provide for the direct control of development in an area of the Municipal District that has unique characteristics, opportunities and/or constraints:

Permitted Uses: None

Discretionary Uses: As determined by Council

11.13.2 SITE PROVISIONS

In addition to the General Regulations contained in Section 9, the following standards shall apply to every development in this District:

- a) The site provisions for developments in this District, including lot area, building setbacks, development density, parking, open space, and building height shall be determined by Council on a site-specific basis.
- b) All developments in this District shall conform to the provisions of any statutory plan that may be in effect in the area.

11.14 AIRPORT VICINITY (AV) DISTRICT

The Municipal District will give consideration to measures that will prevent impediments to the future growth of these important transportation facilities.

Permitted Uses

Airport Related Facilities
Airstrip/apron Developments
Hangars
Terminal Facilities

Discretionary Uses

Agricultural uses posing a potential hazard to aircraft
Garden Suites
Home Occupations (minor)
Home Occupations (major)
Kennels
Manufactured Homes
Public Uses
Public Utilities
Recreation (Extensive)
Single Family Dwellings
Signs
Topsoil removal

11.14.1 SITE PROVISIONS

- a) Runways less than 1,200 m (3,937 ft):
 - i) No residential development will be allowed within an area equivalent to 0.3 times the overall runway length, paralleling the runway as measured perpendicular to the center line of the runway;
 - ii) No residential development will be allowed to be located within a distance equivalent to 1.0 times the length of the runway, as measured from the end of the runway and parallel to the center line of the runway;
- b) Runways 1,200 m (3,937 ft) to 1,800 m (5,905 ft):
 - i) No residential developments will be allowed within an area equivalent to 0.4 times the overall length of the runway paralleling the runway;
 - ii) No residential development may take place in a distance equivalent to 1.5 times the overall length of the runway as measured from the end of the runway and parallel to the center line of the runway;
- c) Runways greater than 1,800 m (5,905 ft):
 - i) No residential developments will be allowed within an area equivalent to 0.5 times the overall length of the runway paralleling the runway;
 - ii) No residential development may take place in a distance equivalent to 2.5 times the overall length of the runway as measured from the end of the runway and parallel to the center line of the runway

TABLE SHOWING RUNWAY LENGTHS AND REQUIRED SETBACKS

Airport Location	Runway Length (m)	Side Setback (m)	End Setback (m)
Valleyview	1,035	310.5	1,035
Grande Cache	1,640	656	2,460
Fox Creek	1,020	306	1,020

- d) Other incompatible land uses are those that would attract and accommodate people for various lengths of time. All applications for non-residential development, within the defined residential setback limits listed in a) to c) above, must be reviewed by the Municipal Planning Commission for the Municipal District. The Municipal Planning Commission will determine if such a proposed use can be considered as incompatible;
- e) Protection of Electronic Facilities and Navigational Aids. All developments which have or may have, an impact on electronic facilities or navigational aids associated with the airport, will have the application referred to Transport Canada for their input and recommendations;
- f) Bird Hazards. Land uses that involve the raising of birds, which may be a hazard to aircraft, will not be allowed within the defined setback areas of a) to c) above. Further, any activity which may attract wild populations of birds within the setback area above will be restricted;
- g) Smoke, Vapor or Dust. Any activity which may create sufficient levels of smoke, vapour or dust, so as to establish a hazard to aircraft within the setback area will not be allowed;
- h) Height Restrictions are required to prevent a hazard to the operation of the airport. The following restrictions will apply:
- i) No developments will be allowed to locate in the setback areas as outlined in the Table Showing Runway Lengths and Required Setbacks in c) above, unless they are related to and compatible with airport operations,
- i) Normal residential development to a maximum of 10 m (33 ft) above the preexisting grade of the site will be allowed outside the setback areas as outlined in a) to c) above,
- ii) Any developments exceeding 10 m (33 ft) above the natural grade of the site and proposed to occur within a five (5) kilometre radius of the airport office or control center will only be allowed if approved by Transport Canada, Aviation Department.

SECTION 12 ADOPTION OF BYLAW

12.1 REPEAL OF EXISTING LAND USE BYLAW

Bylaw Number 01-337 being the Land Use Bylaw for the Municipal District of Greenview and all subsequent amendments thereto are hereby rescinded.

12.2 EFFECTIVE DATE OF BYLAW NO. 03-396

This Bylaw comes into effect upon the date of its third reading by Council, being the 10th day of December, A.D.