

## What is a Land Use Bylaw?

- The LUB establishes rules and regulations for land development.
- A “development” under the Municipal Government Act means:
  - an excavation or stockpile and the creation of either of them,
  - a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
  - a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
  - a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;
  - The Land Use Bylaw establishes procedures that enable the Development Authority to make decisions about development permit applications within the MD of Greenview.
- The Land Use Bylaw includes a variety of land use districts (commonly referred to as zoning). Districts are intended to regulate land use and building use to ensure it is compatible with adjacent property. For example, land use districts would restrict industrial development within a residential neighbourhood.
- Each land use district (zone) has certain land uses that are allowed (permitted) outright, others are conditional (discretionary) upon approval and review of development uses, prohibiting any land uses not considered appropriate in that district. Examples of land uses could include a detached dwelling, a retail store, a restaurant, accessory buildings or manufacturing.

## How does the LUB impact me?

- Greenview’s LUB review is intended to relax development constraints in most rural areas to address issues experienced in the past 4 years. It is also intended to bring the Hamlet of Grande Cache development framework under a new Greenview Bylaw to accommodate future development in the Hamlet in a way that minimizes any impacts to current development.
- Overall, Land Use Bylaws apply to all areas of Greenview, so if you are planning to

construct a building, start a business, changing how property is used, developing raw land, erect a sign, or establish a cabin or suite, then the LUB will provide direction on the applicable rules and regulations you will need to consider.

- Outside of the Hamlet of Grande Cache, changes to the land use district of any property is not proposed so that both landowners and their neighbours are not concerned about being impacted by the Land Use Bylaw update.
- In the Hamlet of Grande Cache new districts are proposed to simplify development and can be found for any property on the proposed the Land Use Bylaw Maps for the Hamlet. A land use districting (zoning) map has been prepared and can be reviewed by any landowner.

## How do I know where to find the information I need under the Land Use Bylaw (LUB)?

- Each part of the Land Use Bylaw (LUB) is separated into different sections. The Table of Contents can be used for easy reference.

## What if something I am currently doing or what I have build doesn’t meet the new LUB?

- The Municipal Government Act assures property owners that any modification of a LUB which makes any previously permitted, lawful structure or activity non-compliant is allowed to remain and continue, as long as the structure is not removed, or the activity is ceased for greater than 6 months.

## What if I am unable to meet one of the regulations for something I want to do in the near future?

- Most standards are being made easier to meet so this is not anticipated.
- Further, the authority to extend variances for any regulations which cannot be met have been increased for site specific relaxations.
- Depending on the variance requested, the application may be considered by the Development Authority or by the Municipal Planning Commission.
- Also, Applicants have the opportunity to apply for a Land Use Bylaw amendment in which you could request to change a specific regulation, land use, or the land use district for a specific parcel of land.
- What is a permitted use and does it require a development permit?
- A permitted use means a land use that is allowed under a land use district.
- Permitted Uses are listed under each respective land use district.

- Permitted uses vary between each land use district.
- Yes, Permitted uses require a Development Permit. This ensures conformance to the Land Use Bylaw, unless they are specifically exempt under the Land Use Bylaw. This list has been expanded slightly for several uses or structures on property with Agricultural and Residential land use designation.

### **What is a discretionary use?**

- In simple terms, discretionary use means a land use, building, or other structure that may be allowed by the Municipal Planning Commission after due consideration is given to the impact of that use upon neighbouring land.
- Discretionary uses are listed under each land use district.
- Discretionary uses vary between each land use district.
- A Municipal Planning Commission may approve the discretionary use application with or without conditions. They may also refuse the application while providing reasons, which have the option to be appealed.

### **What is considered a Development?**

The Municipal Government Act (MGA) defines a development as follows  
“Development” means:

- i. an excavation or stockpile and the creation of either of them,
- ii. a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
- iii. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
- iv. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

### **What is considered a to be exempt?**

The MGA Section 683, states, “Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw.” An additional handout about how this list is expanding from the current exemption list is available.



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