



Municipal District of
GREENVIEW

Changes to Permitting Exemptions

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Background:

Not all development requires a development permit and these are listed in section 4.3 of the LUB (Land Use Bylaw. The Municipal Government Act (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.” Projects are included in the list of exemptions because they cannot reasonably pose a change to the property which would impact other adjacent landowners.

This list is being adjusted to better reflect a more permissive rural standard for individual land use and limit municipal approval requirements where there is unlikely to be a conflict with the use of adjacent land. This will also further remove Greenview from approval processes related to agricultural operations and private landowner amenities to property.

Key Similarities:

1. Accessory Buildings:

- Both versions allow exemptions for small accessory buildings under certain size limits.

2. On-Site Landscaping:

- Landscaping associated with an approved building or use does not require a permit.

3. Temporary Structures:

- Temporary buildings incidental to construction or alteration, provided they are removed within a specified time frame, are exempt.

4. Signage:

- Non-advertising plaques, signs for farm product identification, or temporary signs for sales, elections, or projects do not require permits.

5. Seasonal and Minor Home Features:

- Seasonal decorations, minor developments like barbecues, composting bins, and bird feeders, and similar features are exempt.

Key Differences:

1. Exemption Categories Expanded in New LUB:

- The new LUB includes additional exempt items like bear-proof waste disposal, private play structures, and sun shelters over patios.
- It specifically exempts developments like extensive agriculture and agricultural processing of products on-site.

2. Accessory Building Size Limits:

- The size limits for exempt accessory buildings differ between the two LUBs. The new LUB specifies different sizes for hamlet and non-hamlet areas.

3. Shipping Containers:

- Both documents exempt temporary use of shipping containers during renovations or moves. However, the new LUB provides more detailed guidelines, including exemptions for up to two containers in specific districts.

4. Home Offices:

- The new LUB explicitly exempts home offices, while the older LUB does not make this mention.

5. Telecommunication Towers:

- The new LUB exempts towers over 15 meters and located more than 800 meters from a hamlet. This detail is not in the old LUB.

6. Utility and Government Work:

- The new LUB explicitly exempts installations of public utilities and certain provincial or federal development projects, expanding on the provisions in the older LUB.

Conclusion:

The new LUB broadens the scope of exemptions with more detailed and diverse categories, particularly focusing on accommodating agricultural use, private recreation, and home offices. In contrast, the older LUB has more generalized exemptions with less emphasis on specific land-use enhancements and less applicability to modern permitted activities.

3.0 DEVELOPMENT PERMITS

3.1 Control of Development

- 3.1.1 Land, buildings, structures or signs in Greenview may only be developed or used in conformity with the uses in the applicable Land Use District and all the regulations in this Bylaw except for legal non-conforming buildings, uses or as approved by the Development Authority or the Subdivision and Development Appeal Board (SDAB).
- 3.1.2 No development or portion thereof shall be located on or over municipal lands, municipal road rights-of-way or municipal easements without the prior written consent of Greenview, which consent Greenview is not obligated to provide.
- 3.1.3 A person is responsible for complying with the requirements of other Greenview bylaws, policies, easements, covenants, conservation agreements, development agreements, or provincial or federal statutes or regulations.

3.2 Permits Required

- 3.2.1 Except when a development permit is not required, no person shall commence, or carry on, or cause to allow to be carried on, any development or use unless a development permit has first been issued pursuant to this Bylaw, and the development or use is in accordance with the terms and conditions of the permit.

3.3 Permits Not Required

- 3.3.1 The following developments and uses shall not require a development permit provided they conform to all provisions of this Bylaw:
 - a) Those uses or developments exempted by provincial or federal legislation;
 - b) The completion of a building which was lawfully under construction at the date of the adoption of this Bylaw provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted;
 - c) Utility services underground or in registered rights-of-way;
 - d) The temporary use of a building, in relation with a federal, provincial or municipal election, referendum or census;

- e) Works of maintenance or repair of any building, provided that such works do not include structural alterations or renovations over 50% of the value of the building above its foundation;
- f) Internal alterations, external maintenance, or repair of any building provided that the use, intensity, height, or gross floor area of the building does not change;
- g) The construction and maintenance of gates, fences, walls or other means of enclosure less than 1.8 m (5.9 ft.) in height;
- h) 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 provided it is removed within thirty (30) days of project completion;
- i) Farm buildings for agricultural use on parcels in A-1 and A-2 Districts.
 - i. Development permits are required for dwelling units and related accessory buildings, as well as specific agricultural operations as defined in this Bylaw.
- j) Accessory buildings which have a floor area of no greater than 15.0 m² (161.5 ft²);
- k) Any signage for which approval from Alberta Transportation is required;
- l) On-site landscaping;
- m) Non-enclosed Decks which are less than 1.0 m (3.3 ft.) from ground level;
- n) Fences for the following purposes do not require a development permit:
 - i. Livestock windbreak fences less than or equal to 3.6 m (11.8 ft.) in height;
 - ii. Livestock confinement fences less than or equal to 3.6 m (11.8 ft.) in height;
 - iii. Fences for sports-related purposes less than or equal to 4.0 m (13.1 ft.) in height;
 - and,
- o) One temporary on-site sign not exceeding 1.0 m² (10.8 ft²) in area or 1.5 m (4.9 ft.) in height and 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.
- p) One permanent on-site sign intended for use as:
- i. A commemorative plaque of a non-advertising nature; or,
 - ii. The identification of a farm residence or the advertising of farm products.
- q) Accessory to residential uses:
- i. Minor development not exceeding 2.0 m (6.6 ft.) in height, where there is an existing dwelling unit. This includes, but is not limited to a barbeque, composting bin, garbage enclosure, lawn sculpture, privacy screen or bird feeder;
 - ii. Pergola;
 - iii. Satellite dish;
 - iv. Unenclosed steps, landings or stairs (at grade);
 - v. Sun shelters over a deck or a patio;
 - vi. Air conditioning unit;
 - vii. Solar collectors attached to a building;
 - viii. Light standard or flagpole when located on a parcel containing a single detached dwelling unit;
 - ix. Decorative pond or water feature less than 0.6 m (2.0 ft.) in depth
 - x. Private play structures; or
 - xi. Seasonal holiday decorations.
- r) Demolition of a building or structure;
- s) A change of tenancy within an existing premise in a Commercial or Industrial District where:
- i. The Development Authority is satisfied that the existing development permit is valid, current and the approval conditions are being fulfilled; and,
 - ii. The change in use is from a permitted or discretionary use to a permitted use within the applicable District.
- t) Clock towers, monuments, sculptures or federal, provincial or municipal flags and their support structures, as well as other similar aesthetic enhancements;

- u) A Wind Energy Conversion System, Minor where mounted to a roof or attached to an accessory building in accordance with the following provisions:
 - i. One Wind Energy Conversion System, Minor per parcel;
 - ii. The total height shall not project 3.0 m (9.8 ft.) beyond the top of the roofline of building or exceed the maximum height regulation of the applicable District; and,
 - iii. No nuisance shall extend beyond the property boundary.
- v) Shipping containers used for temporary storage for no longer than six (6) months during a renovation or moving process, provided it complies with this Bylaw;
- w) Shipping containers in A-1 and A-2 Districts;
- x) Temporary/transient sales which are located on a parcel within a Commercial District where there is a principal building. This includes but is not limited to food product sales, Christmas tree sales, flower sales, or windshield repair; and,
- y) Work camps established for oil and gas drilling rigs.
- z) Any development carried out by or on behalf of the Crown but not including that carried out by or on behalf of a Crown Corporation;

3.4 Development Permit Application

3.4.1 An application for a development permit may be made in writing to Greenview by:

- a) The owner of a parcel or site; or,
- b) The agent for the owner of a parcel or site.

3.4.2 The application shall be made on a form prescribed by Greenview, which shall be completed and accompanied by all required information, in accordance with Greenview policies and procedures in this Bylaw.

3.4.3 A completed application shall require the following (where applicable):

- a) A non-refundable processing fee as identified in Greenview's Schedule of Fees Bylaw;
- b) A copy of the Certificate of Title for the lands affected;
- c) Owner authorization and, where applicable, an applicant signature;

DEVELOPMENT PERMITS

4.1 Control of Development

- 1) Land, buildings, structures, or signs in Greenview may only be developed or used in conformity with uses in an applicable land use district and all regulations in this Bylaw except for legal non-conforming buildings or uses or as approved by the Development Authority or the Subdivision and Development Appeal Board (SDAB).
- 2) No development, or portion thereof, shall be located on or over municipal lands, municipal road rights-of-way, or municipal easements without prior written consent of Greenview, which consent Greenview is not obligated to provide.
- 3) In addition to this, a person is responsible for complying with requirements of other Greenview bylaws, policies, easements, covenants, conservation agreements, development agreements, or provincial or federal statutes and regulations.

4.2 Permits Required

- 1) Pursuant to Section 683 of the MGA, except as otherwise provided in this 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.

4.3 Permits Not Required

- 1) The following developments and uses shall not require a development permit provided they conform to all provisions of this Bylaw:
 - a) Accessory buildings which have a floor area of less than 10.0 m² (107.6 ft²) within any Hamlet.
 - b) Accessory buildings which have a floor area of no greater than 20.0 m² (215.3 ft²) on parcels outside of any Hamlet.
 - c) Accessory uses and structures:
 - i. Air conditioning unit.
 - ii. Clock towers, monuments, sculptures or federal, provincial or municipal flags and their support structures, as well as other similar aesthetic enhancements.
 - iii. Decorative pond or water feature less than 0.6 m (2.0 ft) in depth.
 - iv. Fences and shelterbelts meeting all other regulations of this bylaw.
 - v. Hard-surfacing in any yard to provide vehicular access from a road to an on-site parking space provided that such hard-surfacing does not exceed 6.8 m (22.3 ft) in width.
 - vi. Home offices as defined in this bylaw.
 - vii. Light standard or flagpole when located on a parcel containing a single detached dwelling.
 - viii. Minor development not exceeding 2.0 m (6.6 ft) in height, including, but not limited to, barbeques, composting bin, garbage enclosure, bear-proofed waste disposal, lawn

sculpture, privacy screen or bird feeder.

- ix. Pergola.
 - x. Private play structures.
 - xi. Satellite reception devices.
 - xii. Seasonal holiday decorations.
 - xiii. Solar collectors placed on the roof of a building.
 - xiv. Sun shelters over a deck or a patio.
 - xv. Unenclosed steps, landings, or stairs (at grade).
- d) Unenclosed Decks less than 1.0 m (3.3 ft.) from ground level outside of a Hamlet or less than 0.6m (2.0ft) from ground level meeting all setbacks within a Hamlet.
 - e) Changes in Tenancy for an existing structure where the new tenant has a new use similar to the existing use.
 - f) Completion of a building which was lawfully under construction at the date of the adoption of this Bylaw provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to conditions to which such permit was granted.
 - g) Demolition associated with an approved development permit.
 - h) Developments exempted under section 618 of the *Municipal Government Act*.
 - i) Extensive agriculture and agricultural processing of products produced on site.
 - j) Farm buildings as defined by this Bylaw located within an agriculturally designated property utilized in conjunction with a farm operation which meets all setback requirements.
 - k) Installation of public utility services by municipal or franchise utility providers
 - l) Internal alterations, external maintenance, or repair of any building provided that the use, intensity of the use, height, or gross floor area of the building does not change, and it is not a nonconforming use under s. 643 of the *Municipal Government Act* which has been damaged or destroyed to the extent of more than 75% above its foundation.
 - m) Landscaping, stripping, and grading associated with an approved development permit.
 - n) On-site landscaping associated with an approved building or use having been issued a valid development permit.
 - o) Minor Home occupations on properties over 3.0 acres outside of Hamlet boundaries.
 - p) Shipping Containers used for temporary storage for no longer than six (6) months during a renovation or moving process.
 - q) Up to two (2) Shipping Containers in A-1 and A-2 Districts;
 - r) Signage for which approval from Alberta Transportation has been provided.
 - s) Signage

- i. one permanent on-site sign intended for use as:
 - aa. A commemorative plaque of a non-advertising nature.
 - bb. Identification of a farm residence or advertising of farm products.
- ii. one temporary on-site sign not exceeding 1.0 m² (10.8 ft²) in area or 1.5 m (4.9 ft) in height and intended to:
 - aa. Advertise sale or lease of a dwelling or property.
 - bb. Identify construction or demolition project for which a development permit has been issued.
 - cc. Identify political or charitable campaign.
- iii. Any signage at any location placed or directed to be placed by the Municipality.
- t) Telecommunication towers over 15.0m more than 800.0m from any hamlet.
- u) Temporary building or fencing, the sole purpose of which is incidental to construction or alteration of a permanent building, for which a development permit has been issued provided it is removed within thirty (30) days of project completion.
- v) Temporary/transient sales which have a valid Hawkers Peddlers and Mobile Vendors License located on a parcel within a commercial district where there is a principal building. This includes but is not limited to food product sales, Christmas tree sales, flower sales, or windshield repair.
- w) Temporary use of a building, in relation to a federal, provincial, municipal election, referendum, or census.
- x) Temporary Uses on crown land not exceeding 21 days such uses may include borrow pits, lay down yards or staging areas.
- y) Uses or developments exempted by provincial or federal legislation.
- z) Work camps onsite less than 60 days and work camp established for oil and gas drilling rigs.
- aa) Water wells or gas/oil wells or any associated drilling as defined by the Oil and Gas Conservation Act.

4.4 Development Permit Application

- 1) An application for a development permit may be made in writing to Greenview by the:
 - a) Owner of a parcel or site; or
 - b) Agent for the owner of a parcel or site, unless the application pertains to a multi-tenant property, in which case the application must be submitted by the owner.
- 2) The application shall be made on a form prescribed by Greenview, which shall be completed and accompanied by all required information, in accordance with Greenview policies and procedures in this Bylaw.

4.5 Complete Development Permit Application