

TOWN OF SEXSMITH

BYLAW NO. 889

BEING A BYLAW IN THE TOWN OF SEXSMITH IN THE PROVINCE OF ALBERTA TO AMEND BYLAW NO. 755, THE TOWN OF SEXSMITH LAND USE BYLAW AND BYLAW NO. 756, THE MUNICIPAL DEVELOPMENT PLAN

WHEREAS the Council of the Town of Sexsmith has adopted a Land Use Bylaw and

WHEREAS the Council has the authority under the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 with amendments to amend the Land Use Bylaw; and

WHEREAS the Council of the Town of Sexsmith deems it desirable to amend the Land Use Bylaw by adding provisions for Wind Energy Conservation System (WECS)

NOW THEREFORE the Council of the Town of Sexsmith duly assembled, hereby enacts the following:

1. That “Wind Energy Conservation System” (WECS) be added as a discretionary use in the Institutional College (IC) District in the Land Use Bylaw
2. That the proposed regulations as follows be added in as Section 13.4 Wind Energy Regulations
 - a. The Development Authority may approve a WECS application on a case-by-case basis having regard for:
 - I. Information provided in the application
 - II. Proximity to other land uses in the immediate area
 - III. Consideration of the cumulative effect of all WECS approved or proposed in the immediate area
 - IV. Existing and proposed transmission network, and
 - V. Information received from the circulation of the application and the public.
 - b. Applications for Small Scale Wind Energy Conversion Systems shall be accompanied by:
 - I. the manufacturer’s information on power generation and the tower;
 - II. appropriate letter of approval from Navigation Canada;
 - III. in land use districts where the use is discretionary, noise data indicating
 - IV. noise levels at the property line should not exceed 30 dB;
 - V. provide evidence that the strobe/shadow effect will not affect the enjoyment of the adjoining residences;
 - VI. an accurate site plan showing and labeling the information including the exact location of each turbine (tower and rotor arc) including setbacks and building locations;

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- VII. other information that may be required by the Development Authority.
 - c. The Development Authority may require a public meeting prior to consideration of the permit.
 - d. All development applications for a WECS shall be accompanied by:
 - i) the manufacturer's specifications including:
 - A. the WECS maximum rated output in kilowatts;
 - B. safety features and sound characteristics;
 - C. type of power;
 - D. dimensions of tower and rotor; and
 - E. type of material used in tower, blade and/or rotor construction
 - ii) an analysis of the potential for noise at:
 - A. the site of the installation; and
 - B. the boundary of the parcel containing development
 - iii) a report regarding any public information meetings or other process conducted by the developer.
 - e. No lettering or advertising shall appear on the towers or blades. In other parts of the WECS, the only lettering will be the manufacturer's and/or owner's identification or municipal symbol upon approval by the Development Authority.
 - f. Should a WECS discontinue producing power for two years or more, the WECS operator shall provide a status report to the Development Authority. A review of the status report by the Development Authority 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.
- 3. That this Bylaw shall come into effect upon the date of the final passage thereof.

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**READ A FIRST TIME AND PASSED THIS 7th DAY OF JUNE,
2010**

**READ A SECOND TIME AND PASSED THIS 21st DAY OF
JUNE, 2010**

**READ A THIRD TIME AND FINALLY PASSED THIS 21st
DAY OF JUNE, 2010.**

Claude Lagace, Mayor

Carolyn Gaunt, Town Administrator