

# **BYLAW C-8126-2021**

A bylaw of Rocky View County, in the Province of Alberta, to amend Rocky View County Bylaw C-8000-2020, being the *Land Use Bylaw*.

The Council of Rocky View County enacts as follows:

#### **Title**

1 This bylaw may be cited as *Bylaw C-8126-2021*.

# **Definitions**

- Words in this Bylaw have the same meaning as those set out in the *Land Use Bylaw* and *Municipal Government Act* except for the definitions provided below:
  - (1) "Council" means the duly elected Council of Rocky View County;
  - (2) "Land Use Bylaw" means Rocky View County Bylaw C-8000-2020, being the Land Use Bylaw, as amended or replaced from time to time;
  - (3) "Municipal Government Act" means the Municipal Government Act, RSA 2000, c M-26, as amended or replaced from time to time; and
  - (4) "Rocky View County" means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.

#### **Effect**

- THAT Schedule B, Land Use Map No. 39 and 39-SE of Bylaw C-8000-2020 be amended by redesignating Lot 1, Block 10, Plan 1911357 from Residential, Urban Residential District and Direct Control District 145 to Direct Control; Lots 5, 6, 7 Block 1 Plan 1741 EW from Commercial, Local Urban District to Direct Control; and, Lots 3 and 4, Block 5, Plan 1911358 from Residential, Urban Residential District to Direct Control as shown on the attached Schedule 'A' forming part of this Bylaw.
- 4 THAT the regulations of the Direct Control District comprise
  - (1.0) Purpose
  - (2.0) Compliance with Bylaw C-8000-2020
  - (3.0) Reference to Bylaw C-8000-2020
  - (4.0) Variances
  - (5.0) Uses
  - (6.0) Uses Not Defined



- (7.0) Development Not requiring a Development Permit
- (8.0) Maximum Building Height
- (9.0) Minimum Setbacks
- (10.0) Additional Requirements

### **General Regulations**

- 5 THAT the General Regulations of the Direct Control District comprise:
  - 1.0 PURPOSE
    - 1.1. The purpose and intent of this District is to provide for a comprehensive mixeduse development including commercial, hospitality and multifamily residential in Bragg Creek Hamlet Core.
    - 1.2 Unless otherwise specified, this Direct Control shall be considered a Commercial District.
  - 2.0 COMPLIANCE WITH BYLAW C-8000-2020
    - 2.1. Unless otherwise specified, the rules and provisions of Parts 1, 2, 3, 4, 5, 6, 7, and 8 of Bylaw C-8000-2020 apply to this Direct Control District Bylaw.
  - 3.0 REFERENCE TO BYLAW C-8000-2020
    - 3.1. Within this Direct Control District Bylaw, a reference to a section of Bylaw C-8000-2020 is deemed to be a reference to the section as amended from time to time.
  - 4.0 VARIANCES
    - 4.1. The Development Authority may vary any of the rules contained in this Direct Control District in accordance with Sections 102, 103, 104, 105 and 106 of Bylaw C8000-2020.

#### Land Use Regulations

- 6 THAT the Land Use Regulations of the Direct Control District comprise:
  - 5.0 USES
    - 5.1. Accessory Building/Structure
    - 5.2. Animal Health (Small Animal)
    - 5.3. Awning/Canopy Signs
    - 5.4. Bed and Breakfast
    - 5.5. Cannabis Retail Store
    - 5.6. Care Facility (Child)
    - 5.7. Care Facility (Clinic)



- 5.8. Care Facility (Group)
- 5.9. Care Facility (Medical)
- 5.10. Care Facility (Seniors)
- 5.11. Communications Facility (Type A)
- 5.12. Conference Centre
- 5.13. Dwelling Unit, Duplex / Semi
- 5.14. Dwelling, Multiple Unit
- 5.15. Dwelling Unit, Rowhouse
- 5.16. Establishment (Drinking)
- 5.17. Establishment (Eating)
- 5.18. Establishment (Entertainment)
- 5.19. Fascia Signs
- 5.20. Farmer's Market
- 5.21. Freestanding Signs
- 5.22. Health, Wellness and Spa Facilities
- 5.23. Hotel/Motel
- 5.24. Mixed-Use Building
- 5.25. Office
- 5.26. Parking and Parking Structures
- 5.27. Post-Secondary
- 5.28. Recreation
- 5.29. Recreation (Culture & Tourism)
- 5.30. Recreation (Outdoor)
- 5.31. Recreation (Private)
- 5.32. Recreation (Public)
- 5.33. Religious Assembly
- 5.34. Retail (General)
- 5.35. Retail (Garden Centre)
- 5.36. Retail (Grocery)
- 5.37. Retail (Shopping Centre)
- 5.38. Temporary Signs

#### 6.0 USES NOT DEFINED

6.1. Those uses which are not otherwise defined in this Bylaw, which in the opinion of the Development Authority, are similar to the Uses listed in Section 5 of this Direct Control and which conform to the purpose of this district may be Uses as approved by the Development Authority.

#### **Development Regulations**

- 7 THAT the Development Regulations of the Direct Control District comprise
  - 7.0 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT
    - 7.1. Provided the requirements of Bylaw C-8000-2020 are met, the following development does not require a Development Permit:
      - 7.1.1. Awning Signs
      - 7.1.2. Fascia Signs
      - 7.1.3. Freestanding Signs



# 7.1.4. Temporary Signs

#### 8.0 MAXIMUM BUILDING HEIGHT

- 8.1. A maximum of 18.0 m with the exception of an architectural element such as a steeple.
- 8.2. A maximum of 4 Storeys

#### 9.0 MINIMUM SETBACKS

#### 9.1. Front Yard

- 9.1.1. 6.0 m from Balsam Avenue
- 9.1.2. 6.0 m from River Drive South
- 9.1.3. 1.0 m from adjacent PUL

#### 9.2. Side Yard

- 9.2.1. 6.0 m from Balsam Avenue
- 9.2.2. 6.0 m from River Drive South
- 9.2.3. 3.0 m from Commercial uses
- 9.2.4. 1.0 m from adjacent PUL
- 9.2.5 1.0 m from a laneway

#### 9.3. Rear Yard

- 9.3.1. 6.0 m from Balsam Avenue
- 9.3.2. 6.0 m from River Drive South
- 9.3.3. 6.0 m from Commercial uses
- 9.3.4. 1.0 m from adjacent PUL
- 9.3.5 1.0 m from a laneway

# 10.0 ADDITIONAL REQUIREMENTS

#### 10.1. Site Design

- 10.1.1. Pedestrian movement throughout the development area shall be facilitated through a well-developed network of pathways and trails with at least one connection to the main building entrance.
- 10.1.2. A minimum of 10% of lands shall be landscaped.
- 10.1.3. A Site Development Plan shall be required to guide decisions on Development Permit applications including building locations and uses, parking areas, vehicular access and egress, internal circulation, routes, landscaping, at-grade amenity areas, pedestrian connections and other matters deemed necessary by the Development Authority.
- 10.1.4. The Site Development Plan may be submitted in phases and shall show shadow plan on remaining lands.

# 10.2 Building Requirements



- 10.2.1. The minimum size of a Dwelling Unit shall be 46 m2 (500 ft2).
- 10.2.2. The minimum amenity space shall be 4.0m2 (43.06 ft2) per Dwelling Unit with no minimum dimension less than 2.0 m (6.56 ft)
- 10.2.3. Separate entrances shall be provided for the commercial and residential uses. Each entrance shall have direct and indirect (via common hallway) access to a public street.
- 10.2.4. Where more than one use is to be carried on in a particular site, separation between buildings and construction of separating walls shall be in accordance with the National Building Code, Alberta Edition.
- 10.2.5. All buildings shall be subject to the flood fringe requirements as per Alberta Environment and Parks
- 10.2.6. The exterior design of all buildings and structures shall be subject to approval by the Development Authority.

10.3. Parking

10.3.1. Parking requirements shall be calculated based on the comprehensive Site Plan and may be shared between Uses

## **Effective Date**

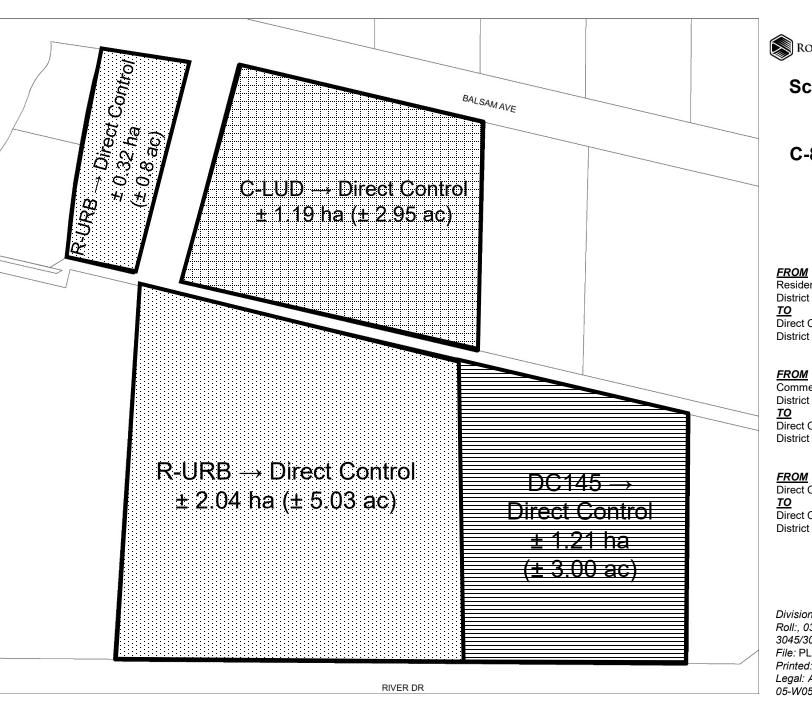
Bylaw C-8126-2021 is passed and comes into full force and effect when it receives third reading and is signed in accordance with the *Municipal Government Act*.

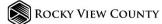
READ A FIRST TIME this	23 day of February, 2021
PUBLIC HEARING HELD this	4 day of May, 2021
READ A SECOND TIME this	<u></u> day of <u>May</u> , 2021
READ A THIRD AND FINAL TIME this	day of
	Reeve

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Chief Administrative Officer or Designate





# Schedule 'A'

**Bylaw** C-8126-2021

#### Amendment

#### **FROM**

Residential, Urban District Direct Control



#### **FROM**

Commercial, Local Urban District

Direct Control District



Direct Control District 145

Direct Control District



Division: 01

Roll:, 03913001/3043/ 3044/ 3045/3075/3076

File: PL20200171 Printed: Jan 28, 2021

Legal: A portion of SE-13-23-

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